50TH CONGRESS, 2d Session. | SENATE. | REPORT No. 2543.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 7, 1889.—Ordered to be printed.

Mr. BLAIR, from the Committee on Woman Suffrage, submitted the following

REPORT:

[To accompany S. Res. 11.]

The Committee on Woman Suffrage, to whom was referred the joint resolution (S. R. 11) proposing an amendment to the Constitution prohibiting the denial or abridgment of the right to vote by the United States or by any State on account of sex, having considered the same, ask leave to submit the following report:

The joint resolution is in these words:

JOINT RESOLUTION proposing an amendment to the Constitution of the United States extending the right of suffrage to women.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein,) That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States; which, when ratified by three-fourths of the said legislatures, shall be valid as part of said Constitution, namely:

ARTICLE —.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

SEC. 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of this article.

It will be observed that the proposed amendment is in the form of a prohibition of the denial or abridgment of the exercise of a right the existence of which is presupposed by the very fact of the prohibition of its denial or abridgment.

There are two sources from which those who believe in woman suffrage as an existing right derive its origin.

I.

It is held by one class that the suffrage is a natural right inherent in all who are capable of exercising the political functions of citizenship, that is to say, who are capable of becoming component parts of the aggregate body of sovereigns in all governments which are republican in form.

These say that whatever restrictions and conditions it is necessary to impose upon, and whatever qualifications may justly be required of, the voter in order to secure the efficient exercise of the right and to prevent the impairment of the efficiency of government of the people by the people, that sex as such has nothing whatever to do with them;

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that self-government, which in theory is government of the whole by the entire body of those capable of participation in the sovereignty, is an act of intelligent decision guided by conscience upon issues presented to the mind and not to the body; still less is the act of voting one which can be performed only by the body, or even by the body and mind of a male.

Those who hold to this broad foundation of the right of suffrage deny that voting is simply an affirmative animal instinct asserting itself in the government of the human race. They claim that the soul is superior to the body and that the attributes of the soul and not the members of the body are the true tests of qualification and the proper agents with which the right of suffrage should be exercised. They admit that as a class males have more muscle than women, but they deny, and prove by the facts, that women have as much of mental power, and assert that the moral superiority of woman more than compensates for her average inferiority in vigor as an animal. They insist that a political question can not be safely submitted exclusively to a body of men, simply because of capacity to kill each other or of disposition to do it, but rather should be submitted to decision in accordance with the dictates of conscience, after the investigation of facts in the light of reason. They claim that woman has the greater need of the ballot for the protection of her person and property, especially of the former, which is far more important than the protection of her property, for the reason that she has less of brute strength than is possessed by man; and in accordance with that greater necessity on her part that God has given to her a capacity for the wise and equitable exercise of her equal right in a republican form of government, certainly not inferior to that of the sex which has, as a rule, the more occasion to be restrained and governed by some power external to themselves for their own and the general good.

But your committee do not intend in this report to restate the arguments which guaranty to women the exercise of this inalienable natural right, without which neither life, liberty, nor property can be secure. These can be found in the several reports of your committee made upon this resolution when the same has been pending in former Congresses. Nor shall we pause to confute the sophism that woman is protected as well as man in governments wholly conducted by males. The assertion is not true in fact, and even if women were as well protected as men under the existing system of sex domination, it is no reply to the claim that the participation of women in the government would greatly improve the condition of all. The extension of the power of government from the despot and the monarch to the many, even though they be only men, has resulted in untold good to the whole race.

What, then, will be the happier condition of human society when the other half of it, and that by the admission of man the superior, the angelic portion, shall be admitted to the full enjoyment of the greatest of rights—the right preservative of all rights—the suffrage or sovereignty.

II.

We dismiss this brief general discussion to menton the second ground upon which it is claimed that woman now has the right of suffrage in this country, and that is by virtue of the provisions of the Constitution as it now stands.

This claim is consistent with that which finds the suffrage within the domain of natural law. It is believed by many, who hold the suffrage

to be merely a privilege conferred or extended by the governing power and not an inherent right, that the right has been extended to women by the fourteenth amendment of the Constitution. The great misfortune of those who thus believe is that the Supreme Court holds just the contrary opinion, and so it becomes necessary either to secure the reversal of a solemn decision of that great tribunal or an amendment of the Constitution expressly recognizing the right itself, as is proposed to be done in the pending joint resolution.

But it may be well briefly to examine the grounds upon which the right to the suffrage without distinction of sex is based by those who believe it is already recognized and conferred in the Constitution as it is. If there be strong ground for this belief it is a reason why further legislation should settle the doubt in favor of the right. By the terms of the fourteenth amendment—

> All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

Under the provisions of this amendment it is conceded that women born or naturalized in the United States are citizens; that they have civil rights, the right to life, liberty, and property; also, it is conceded of necessity that, as citizens, they have "privileges and immunities," because their denial or abridgment by the States is prohibited. It would be a subject of ridicule if the Constitution were to prohibit the denial or abridgment of that which does not exist. Further, the fourteenth amendment forbids a State to deprive any person of life, liberty, or property, etc.

Now, when a right or power is granted or recognized as already existing, there is of necessity a grant or recognition of a right to all the means necessary to its protection and enjoyment. Without this the grant or the recognition of the right would be nullified by withholding the means indispensable to its realization. There is an implied grant of the necessary means of enjoyment, although there may be none expressed. This is conceded by the most strict constructionists of constitutional law, since to hold the contrary would be a denial or contradiction of the terms of the grant itself—or, in other words, an absurdity.

Can life, liberty, or property, or the privileges and immunities of citizenship be realized, defended, and protected without political power? Do not women possess, or are they not recognized as possessed of, life, liberty, and property, and of the privileges and immunities of citizens of the United States by virtue of the fourteenth amendment?

How are these rights, privileges, and immunities to be secured, except by political power, in the case of women any more than to men? Now, if the rights, privileges, and immunities belong to women—not as women by reason of their sex any more than to men for a like reason—how can it be that women do not from some source, either the Constitution or from anterior, natural, inalienable right, possess the means—that is to say, the political power—to protect and defend their rights, privileges, and immunities as citizens of the United States as well as men? Especially how can it be denied to them, as a matter of law, when their necessity for the possession of political power to be used in self-defense is greater than that of men by reason of physical inferiority?

Is there anything in the Constitution which, in terms or by implication, restricts political power to men? By what authority is it to be

claimed that the fourteenth amendment carries more to men than to women—giving to one political power and withholding it from the other? It must be conceded that there is no distinction of sex in the Constitution, and that women take by the fourteenth amendment all that is given or guarantied to men.

Now, by numerous definitions of dictionaries and decisions of judges, and by the maxims of the great writers upon the law, "privileges and immunities" of citizens under free government are held to include the elective franchise. Citizenship conferred without restriction includes sovereignty, political as well as civil rights. By the fifteenth amendment "the right of citizens of the United States" (not of the States) "to vote" is expressly mentioned. It therefore must exist. What is the object for which this solemn fifteenth amendment was enacted into the fundamental law? To protect something which had no being?

The citizen of the United States then was a voter, and this amendment provides that "the right of citizens *of the United States* to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude, and Congress shall have power to enforce this act by appropriate legislation."

This amendment was enacted not to limit or qualify, "deny or abridge," any existing right. By no means. It was a great punitive or protective measure, aimed at a gross and general deprivation of the right to the elective franchise possessed by the colored people, who had been wronged out of the exercise of their right by reason of race, color, or previous condition of servitude.

How can this take away the rights of white citizens, whether women or men, and if of either, why of women and not also the suffrage of men? So the penalty inflicted upon a State by partial deprivation of repreentation in the House of Representatives and in the electoral college whenever certain citizens are deprived of suffrage has and can have no effect to deny or abridge rights belonging to any one. These provisions are aimed at abuses and violations of rights of a certain class of citizens of the United States which were being assailed, and not at the extinction of the rights themselves as possessed by the great mass of citizens of all races and colors and of both sexes.

There would seem to be no doubt that the Constitution, in the fourteenth and fifteenth amendments, creates or recognizes the right of suffrage as among the rights, privileges, and immunities of all citizens alike, irrespective of sex, subject only to such implied qualifications of age, capacity, etc. (but not of sex), as are necessary to the accomplishment of the great end for which the right itself exists. So thought the women of this country when the fourteenth amendment was enacted. Test cases were made by Miss Anthony and Mrs. Minor, who endeavored to assert the right at the polls and in the courts. But in the great case of Minor *vs.* Hoppersett (21 Wallace, p. 162) the Supreme Court decided in effect that there is no political power, no sovereignty in any citizen of the United States, as such. In other words that the United States has no voter of its own creation. There was and there is no other ground upon which suffrage in United States elections at least can be denied to women any more than to men under the existing Constitution of the United States.

It is not the purpose of your committee to comment upon this decision, which seems to concede that the United States is not a sovereignty; that the State is supreme and the nation a myth. Many believe that if the question were again raised and brought before that august and co-ordinate power in the Government that this decision

would be reversed, or at least placed upon grounds which would relieve our existence as a political entity of all question, and it is to be hoped that the existence of the political equality of woman with man would be vindicated by the court itself.

But although there are strong reasons for believing that the Constitution now guaranties the suffrage to both men and women, the decision in Minor *vs.* Hoppersett to the contrary notwithstanding, a belief which seems to be necessary in order to avoid extinction as a nation, and for the hope that the decision might be reversed upon further hearing, the policy has been adopted by the women of the country of pressing at once for this constitutional amendment, the adoption of which will settle the question at once and forever. In this connection it is proper to call attention to the exhaustive arguments of Mrs. Hooker and of others in the appendix.

It is perhaps necessary to suggest that the provisions of section 2 of the first article of the Constitution expressly create an elector; that is to say, a voter of the United States. The fact that his qualifications are to be the same as those of electors or voters in the State wherein he resides does not deprive him of the sovereign capacity of a voter of the United States. His personal identity exists in two sovereign capacities of citizen and voter of both the State and of the nation. This distinction seems to have wholly escaped the attention of the Supreme Court.

III.

The movement in this country for the exercise of the suffrage by women assumed the form of a popular political agitation in the year 1848, when the first convention was held at Seneca Falls, in the State of New York. Singularly enough its immediate cause was the exclusion of women delegates from a world's convention held in London to promote the abolition of slavery. What a comment upon the inconsistencies of human nature and the blinding effect of habit and prejudice it is that an act of tyranny on the part of these emancipators, exercised in the very act of demanding freedom for the enslaved African toward their fellow-agitators, should have constituted the startling revelation of a real subjection of woman to man, world-wide, and, in many respects, as complete and galling when analyzed and duly considered by its victims as that of the negro to his master. For it must be remembered that everywhere in civilized countries the female sex is quite the equal of the male in capacity and high devotion to the performance of duty, and that there is no service so obnoxious as that which we are forced to render to our equals or inferiors.

Since that event the contest has been waged with great pertinacity and zeal, and the manifest justice of the demands of women for political equality with men, when living in the same community, has steadily forced the citadels of prejudice and usurpation, until now it is apparent that within a few years, at furthest, all citizens will vote and hold office regardless of the irrelevant distinction of sex.

A short review of the present condition and extent of the movement will furnish an impressive demonstration of the great progress which has taken place in the last half century, and will convince any one who concedes that revolutions do not go backward, that in all human probability women will be free in this country within the next twenty-five years; while in some portions of the world at large her condition is even more hopeful than in the United States.

There seems to be room for the belief that we, as Americans, the descendants of the "first-born of liberty divine," have been resting too much upon the laurels and memories of the fathers, and that while we have been celebrating the Fourth of July other peoples have been steadily advancing, until they have passed us in the march toward freedom and equality.

The Tory premier of England, Lord Salisbury, in an address to the "Primrose League," delivered on the 30th of November last at the Lyceum Theater, in Edinburgh, referring to the gradual extension of the suffrage to women, said:

Now, the Primrose League in that respect represents to my mind modifications of our constitution that have taken place in the past and modifications which will probably take place in the future. In the past, as we know, there has been a large extension of the suffrage, and a very much larger proportion of the inhabitants of this country take their share in the election of members and in the framing of the policy by which the country is guided. * * * I am now speaking for myself only—do not imagine that I am speaking for anybody else—but speaking for myself only. I earnestly hope that the day is not very far distant when women shall bear their fair share in voting for members of Parliament and in determining the policy of the country. *I can conceive of no argument by which they are excluded.* It is obvious that they are as abundantly fit as many who now possess the suffrage by knowledge, by training, and by character, and their influence is likely to weigh in the direction in which in an age so material as ours is, so exceedingly valuable—namely, in the direction of morality and religion.

And he continues thus, speaking to this political society of women:

I look upon the Primrose League, therefore, as not only representing a fact in the past, but enshrining a policy for which we may hope in the future, and I gladly see how readily it has achieved its conquests over populations in various parts of this island, differing so largely in temperament and character, and thereby proving that it has that universal adaptability which belongs to every effective political instrument.

Such words, coming from the Tory Premier of England, who represents a sentiment upon the subject far behind that prevailing in the great Liberal party, should engage the candid attention of the American people upon the condition of women and the deprivation of rights to which she is subjected in this boasted "land of the free."

Mr. Hamilton Wilcox, long a distinguished advocate of suffrage to women, has lately published a pamphlet filled with statistics of the present condition of the movement which are of great value. Wherever there is in any form of practical action a participation by woman in the voting power, any enfranchisement of woman by permission to exercise political power, whether in the recognition of the right to designate officers who by law are to be appointed upon petitions—as in case of the appointment of school officers in Texas by the county judge who is supposed to act upon the petitions of both women and men; municipal suffrage, as in the State of Kansas; or the full suffrage, as in Wyoming; and, until the late adverse decision of an inferior court, in Washington; and the equal municipal and county suffrage of unmarried women and property-holders with men in England—the concession is treated as an abandonment of the doctrine that woman is not entitled to the possession of political power. Upon this basis Mr. Wilcox shows that there are over 14,000,000 square miles in the world, with a population of nearly three hundred millions of people, where woman suffrage in a greater or less degree already prevails, and in all this region the agitation is for complete enfranchisement or equality with man in political power. Here, then, is the great governing force of the world already committed to the principle of woman suffrage.

In the province of Ontario, Canada, with 182,000 square miles,

unmarried women vote for all elective officers but two on like terms with men. In the province of Quebec women vote in the various provincial cities and in Montreal and Quebec. In Wyoming Territory, of 98,000 square miles, women have complete suffrage, and they use it, too. In British Columbia, with 341,000 square miles, women vote for all elective officers but members of parliament. Kansas has 82,000 square miles and municipal suffrage for women, which is close upon the full suffrage, and its success in that State, many libellous falsehoods to the contrary notwithstanding, will speedily secure full suffrage in this great central star in the zenith of freedom. Texas has 274,000 square miles, and is making sure progress in this reform. When the petitions of women count in the appointment of school officers, additional concessions are sure and full fruition is inevitable.

Woman suffrage in some of its various forms exists in Arizona, 113,000 square miles; Arkansas, 54,000; Colorado, 104,000; Dakota, 149,000; Idaho, 64,000; Indiana, 36,000; Kentucky, 40,000; Massachusetts, 8,000; Michigan, 59,000; Minnesota, 83,000; Mississippi, 49,000; Montana, 146,000; Nebraska, 77,000; New Brunswick, 27,000; New Hampshire, 9,000; New Jersey, 8,000; New York, 49,000; Nova Scotia, 21,000; Ontario, 102,111; Oregon, 96,000; Quebec, 188,000; Texas, 265,000; Utah, 85,000; Vermont, 9,000; Washington, 90,000; Wisconsin, 56,000; Wyoming, 98,000. In Idaho, Utah, and Washington the right hitherto exercised is temporarily suspended, owing to outside causes, and not to any change in the sentiments of the people themselves. The above gives a total area of 2,630,000 square miles on the North American continent wherein the suffrage is now to some extent in the hands of women. Of this territory 810,000 square miles are in Canada and 1,820,000 in the United States.

In England, Scotland, and Wales, women, unless married, vote for all elective officers except members of Parliament, and are very near the full realization of equal rights with men. In Ireland women vote everywhere for poor-law guardians; in sea-ports for harbor boards, and in Belfast for municipal officers. In Sweden their suffrage is about the same as in Britain, and indirectly they vote for members of the House of Lords. In Russia, women, heads of households, vote for all elective officers and on all local questions. In Austria-Hungary they vote (by proxy) at all elections, including members of provincial and imperial Parliaments. In Croatia and Dalmatia they vote at local elections in person. In Italy widows vote for members of Parliament. In Finland women vote for all elective officers.

In Asia even progress is being made. In British Burmah women tax-payers vote in the rural districts. In the Madras presidency they can do so in all municipalities, and so in the Bombay presidency. In all the countries of Russian Asia they can do so wherever a Russian colony settles.

Municipal suffrage, which is the morning star of the full-orbed sun, exists in New Zealand, Victoria, New South Wales, Queensland, and South Australia; and in New Zealand the legislature has resolved that women shall vote for members of parliament.

So suffrage is existing in some form upon the Isle of Man, Pitcairn Island, Tasmania, Iceland, Sardinia, Sicily; and, in all, woman suffrage, complete or partial, exists in over two thousand of the islands of the world.

Mr. Wilcox sums up his valuable compilation thus:

The area Freedom has already in some degree conquered is half as large again as the enormous British Empire; seventy-five per cent. greater than the vast dominions

of the Tsar; four times the size of all Europe or Australia; double that of both combined; almost equal to the North and South American continents together. Its population equals that of all North America, South America, and Africa, and almost equals the population of all Europe.

To this it should be added that we have here indicated the tendency of public opinion among intelligent men, for there is nowhere concession of right or extension of privilege to women but by the free consent of men. Woman has never caused an insurrection or even the slightest popular disturbance, far less wars and revolutions, to obtain a single boon from mankind. Her pathetic but mighty warfare for a "fair chance in the race of life" is the most remarkable fact in the history of the human race. The sublime movement seems to conquer like the sun in his beneficent course, and to demonstrate the almighty power of a patient, peaceful, but everlasting appeal to the innate sense of justice, which ultimately must control the actions of men, even when they are called upon to surrender one-half of their own apparent consequence and power. But who can fail to see that nothing but a curse to man can follow the withholding of her right from woman?

When was slavery, in any form, as harmful to the slave as to the master? In this case the giver would be thrice blessed, indeed.

Jefferson trembled when he remembered that God is just. Now, woman, our equal, asks relief from her greater wrongs. We shall refuse them at our peril. God is still just. Jefferson's forebodings were but a faint glimpse of the terrible retribution which descended upon the people. We of this generation do know that His justice will not sleep forever, for we have felt its terrible power. Injustice to woman, by withholding her equal political rights, will surely be followed by penalties and calamities not hitherto surpassed, for in all history there has been no greater wrong.

Unless this Government shall be made and preserved truly republican in form by the enfranchisement of woman, the great reforms which her ballot would accomplish may never be; the demoralization and disintegration now proceeding in the body-politic are not likely soon to be arrested. Corruption of the male suffrage is already a well-nigh fatal disease; intemperance has no sufficient foe in the law-making power; a republican form of Government can not survive half slave and half free.

The ballot is withheld from women because men are not willing to part with one half the sovereign power. There is no other real cause for the continued perpetration of this unnatural tyranny.

Enfranchise woman or this Republic will steadily advance to the same destruction, the same ignoble and tragic catastrophe, which has ingulfed the male republics of history. Let us establish a republic in which both men and women shall be free indeed. Then shall the Republic be perpetual.

NOTE.—In the month of April last delegates in behalf of the First International Woman's Council, then in session in this city, appeared before your committee and were fully heard; and during the present session delegates of the National Woman Suffrage Association, which lately held its twenty-first anniversary here, addressed the committee. Both of these historic bodies of women were represented by delegates of great ability, who discussed this most important question with a fullness of detail not possible to be entered upon in this report. But the matter should be given wide circulation and be permanently preserved. We therefore call special attention to the appendix to our report.

Appendix I.

Hearing before the Committee on Woman Suffrage, United States Senate, April 2, 1888.

Monday, *April* 2, 1888—10 o'clock a. m.

The committee met to hear arguments in behalf of woman suffrage from the delegates to the International Woman's Council.

Present, Senators Cockrell (chairman), Brown, Blair, Palmer, Chase, and Bowen.

STATEMENT OF MRS. ELIZABETH CADY STANTON.

Mrs. Stanton. Honorable gentlemen, for many successive years a class of women, fully comprehending the dignity of citizenship in a Republic, have appeared before committees of the House and the Senate, praying that the national Constitution should be so interpreted or amended as to secure to the women of the nation all the rights, privileges, and immunities of citizens.

During this discussion the basic principles of republican government, the Declaration of Independence, the national Constitution, have been thoroughly studied by us, until it may be truly said that the leaders in the suffrage movement fully understand the Constitution, and that to them its provisions for the largest liberty are as familiar as the spelling book. Their arguments already gild the page of history and are highly creditable, for their research and eloquence, to the women of this generation.

Our champions, too, in the halls of Congress and legislative assemblies in half the States of the Union have based their arguments on these immortal documents, which together form the Magna Charta of human liberties. Logical arguments against woman's enfranchisement can not be based on the principles of our Government, for they all alike proclaim "equal rights to all" without regard to race, color, sex, or previous conditions of servitude. Individual sovereignty, individual conscience and judgment, are the central truths of a republic, from which radiate the guiding principles that lighten our path through all the complications of government.

The Constitution as it is, in spirit and letter, is broad enough to protect the personal and property rights of all citizens under our flag. By every principle of fair interpretation we need no amendment, no new definitions of the terms "people," "persons," "citizens," no additional power conferred on Congress to enable this body to establish a republican form of government in every State of the Union; and whenever our rulers are ready to make the experiment they will see that they already possess all the constitutional power they need to act, and that the right of suffrage is, and always was, the inalienable right of every citizen under government.

Let me rehearse a few of the provisions of the Constitution to show your power and our rights as citizens of a republic:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Article I, section 2:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Section 4:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. (See Elliot's Debates, vol. 3, p. 366—remarks of Mr. Madison—Story's Commentaries, secs. 623, 626, 578.)

Section 8. The Congress shall have power—

To establish a uniform mode of naturalization, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Section 9. No bill of attainder or *ex post facto* law shall be passed.

No title of nobility shall be granted by the United States.

No State shall pass any bill of attainder, *ex post facto* law, or law impairing the obligations of contracts, or grant any title of nobility. (See Cummings *vs.* The State of Missouri, Wallace Rep., 287, and *ex parte* Garland, same volume.)

Article IV, section 2:

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

The elective franchise is one of the privileges secured by this section. (See Corfield *vs.* Coryell, 4 Washington Circuit Court Reps., 380, cited and approved in Durham *vs.* Lamphere, 3 Gray; Mass. Rep., 276, and Bennett *vs.* Boggs, Baldwin Rep., p. 72, Circuit Court U. S.)

Section 4:

The United States shall guaranty to every State in this Union a republican form of government.

How can that form of government be republican when one-half the people are forever deprived of all participation in its affairs?

Article VI:

This Constitution, and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

XIV amendment:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

No State shall make or enforce any law which shall abridge the privileges or immunities of the United States.

Even the preamble of the Constitution is an argument for self-government—"We, the people." You recognize women as people, for you count us in the basis of representation. Half our Congressmen hold their seats to-day as representatives of women. We help to swell the figures by

which you are here, and too many of you, alas! are only figurative representatives, paying little heed to our rights as citizens.

"No bill of attainder shall be passed." "No title of nobility granted." So says the Constitution; and yet you have passed bills of attainder in every State of the Union making sex a disqualification for citizenship. You have granted titles of nobility to every male voter, making all men rulers, governors, sovereigns, over all women.

"The United States shall guaranty to every State in the Union a republican form of government." And yet we have not a republican form of government in a single State in the Union. One-half the people have never consented to a single law under which they live. They have had rulers placed over them in whom they have no choice. They are taxed without representation, tried in our courts by men, for the violation of laws made by men, with no appeal except to men, and for crimes over which men should have no jurisdiction whatever, while honorable gentlemen all—these, and many more provisions of the Constitution are violated every day that woman remains disfranchised. You are very conscientious in not using the power you already possess to crown us with all the rights of citizens.

There is no significance in the argument that the fathers did not intend to include women in these provisions. The contrary supposition is quite as fair as in spirit, and, better, they have done so. "We, the people" are three plain English words that do not admit of any subtle, symbolical meaning, and when you count us in the basis of representation, as I said, you admit that we are people. Again, as women voted all along from the earliest days in England, and many voted and held important offices in colonial days in our country, the fact must have been familiar to the fathers.

Article 4, section 2, says the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. Yet, if citizens from Washington Territory, Wyoming, or Kansas, where women vote, pass into any other State or Territory they lose the right to vote, the fundamental right of citizenship.

We have abundant guaranties in the Constitution to secure to woman all her rights. All we need is that some far-seeing statesman or chief justice may arise who shall fairly interpret the constitutional law we already possess; a man who, like Lord Mansfield in the Somerset case, shall declare that, according to the genius of our institutions, no disfranchised citizen can breathe on American soil. That simple declaration of Lord Mansfield struck every fetter from the slaves in every land and isle of the sea under the shadow of the English throne.

The chief justice of Massachusetts abolished slavery in that State by a similar declaration. The fact that the pronoun "he" is used in various provisions of the Constitution does not decide that man alone is referred to, for in the whole criminal code the pronouns are "he," "his," "him." Surely if women can be made to pay all the penalties of violated law as "he," she might be permitted to enjoy all the privileges of a citizen as "he." If a woman can hang as "he," she might vote as "he."

I would quote a few opinions of distinguished statesmen and publicists, to show what our ablest men think as to where the principles of our Government legitimately lead us in deciding the inalienable rights of citizens.

The Declaration of Independence asserts that to secure the inalienable rights to life, liberty, and the pursuit of happiness, governments are instituted among men, "deriving their just powers from the consent of the governed."

Benjamin Franklin said:

Liberty consists in having an actual share in the appointment of those who frame the laws and who are the guardians of every man's life, property, and peace.

That they who have no voice nor vote in the electing of representatives do not enjoy liberty, but are absolutely enslaved to those who have votes and to their representatives.

James Madison said:

Under every view of the subject, it seems indispensable that the mass of the citizens should not be without a voice in making the laws which they are to obey, and in choosing the magistrates who are to administer them.

Samuel Adams said:

Representation and legislation, as well as taxation, are inseparable, according to the spirit of our Constitution and of all others that are free.

Again, he said:

No man can be justly taxed by, or bound in conscience to obey, any law to which he has not given his consent in person or by his representative.

And again:

No man can take another's property from him without his consent. This is the law of nature, and a violation of it is the same thing whether it is done by one man, who is called a king, or by five hundred of another denomination.

James Otis, in speaking of the rights of the colonists as descendants of Englishmen, said they "were not to be cheated out of them by any phantom of virtual representation, or any other fiction of law or politics."

Again:

No such phrase as virtual representation is known in law or constitution. It is altogether a subtlety and illusion, wholly unfounded and absurd.

Among all the rights and privileges appertaining unto us, that of having a share in the legislation, and being governed by such laws as we ourselves shall cause, is the most fundamental and essential as well as the most advantageous and beneficial.

The judicious Hooker wrote:

Agreeable to the same just privileges of natural equity is that maxim of the English constitution, that "law, to bind all, must be assented to by all," and there can be no legal appearance of assent without some degree of representation.

In 1790, Condorcet, in his treatise on the admission of women to the rights of citizenship in France, says:

Now, the rights of men result solely from the fact that they are rational beings, susceptible of acquiring moral ideas and reasoning on those ideas. Women, having the same qualities, have the same equal rights. Either no one individual of the human kind has true rights or all have the same, and one who votes against the right of another, whatever be that other's religion, color, or sex, from that moment forfeits his own.

Mirabeau condenses the whole question in his definition that "a representative body should be a miniature of the whole community."

The right of women to personal representation through the ballot seems to me unassailable wherever the right of man is conceded and exercised. I can conceive of no possible abstract justification for the exclusion of the one and the inclusion of the other.

For years we demanded our rights under the Constitution as it is, specifically under the fourteenth amendment. Some of our coadjutors tested its legality by exercising the right of suffrage in their respective States. Their cases were tried in the Supreme Court and decided against them, thus practically declaring that under neither State nor national constitutions is there any guaranty for the protection of the political rights of women, and their civil rights have also been denied

by both the State and General Governments. A woman in the State of Illinois was denied the right to practice law, and the Supreme Court of the United States, to which she carried her case, confirmed the State's decision.

Since these decisions we have asked for a sixteenth amendment, declaring that all the provisions of the Constitution shall apply equally to men and women.

Although we have had these hearings eighteen years in succession, and all the minority reports of our champions, from General Butler, of Massachusetts, down to Senator Blair, of New Hampshire, have been able, unanswerable constitutional arguments, the majority reports have studiously avoided logic, common sense and Constitution, and based their objections upon the most trivial popular prejudices. Lecky, the historian, has well said the success of a movement depends much less on the force of its arguments, or upon the ability of its advocates, than the predisposition of society to receive it.

Though our arguments have never been answered, it is fair to suppose that the honorable gentlemen who have written the adverse reports have read the Constitution which they have sworn to support, and are fully aware that the weight of argument rests on our side. Hence they betake themselves to the world of speculation, where they can manufacture statistics adapted to their prejudices. As our arguments are never answered, it is evident they make no impression on our opponents, as each committee in turn rehearses the popular objections, though we have pointed out their absurdity as often as they are offered.

Instead of a constitutional argument at this time I will review a few of the points made by former majority committees, suggesting that the gentlemen to report on this hearing will try to strike out some new and more worthy trend of thought. It may not be known to you gentlemen that all these reports are published in the History of Woman Suffrage and that these volumes have been not only extensively circulated in this country and placed in all our leading public libraries, but that they are also circulated in foreign lands and placed in all the old universities in Great Britain and Europe.

However indifferent our statesmen may be to their own reputation, their wives and daughters do not wish them to make fools of themselves on the page of history. I never glance over these reports that I do not blush for my countrymen. My only consolation is that the able and eloquent minority reports do in a measure redeem the dignity of these committees in both the Senate and the House. In view of such reports as the majority have given us I can not express to you, gentlemen, the humiliation I feel, as a native-born American citizen, much older, probably, than any member on the committee, that after half a century of weary waiting and watching, educated, refined women are still compelled to beg of their own Saxon fathers, husbands, brothers, and sons, for those civil and political rights so freely granted to every foreigner who lands on our shores.

While I possess every qualification of a voter—age, property, education; while I fully appreciate the genius of republican institutions, and glory in the success of our triumphant democracy; while traveling in the Old World my proudest boast has ever been "I am an American citizen;" yet to my pleadings for the political rights of women you turn a deaf ear, and hold the very idea of woman's enfranchisement up to scorn, while you extend the right hand of welcome to every ignorant foreigner who lands on our shores, who has no idea of what constitutes a republic, nor of the duties self-government invokes; yet you crown

him with the rights of American citizenship, rights for which your own mothers, wives, sisters, and daughters plead in vain.

Landing in New York one week ago, I saw 400 steerage passengers leave the vessel. Dull-eyed, heavy-visaged, stooping with huge burdens and the oppressions they endured in the Old World, they stood in painful contrast with the group of brilliant women on their way to the International Council just held here in Washington. I thought, as this long line passed by, of the speedy transformation the genial influences of equality would effect in the appearance of these men, of the new dignity they would acquire, with a voice in the laws under which they live, and I rejoiced for them; but bitter reflections filled my mind when I thought these men are the future rulers of our daughters; these will interpret the civil and criminal codes by which they will be governed; these will be our future judges and jurors to try young girls in our courts for the crime of infanticide, for trial by a jury of her peers has never yet in the history of the world been vouchsafed to woman. Here is a right so ancient that it is difficult to trace its origin in history, a right so sacred that the humblest criminal may choose his juror. But, alas for the daughters of the people, their judges, advocates, jurors, must be men, and for them there is no appeal. But this is only one wrong among many inevitable in a disfranchised class. It is impossible for you, gentlemen, to appreciate the humiliations women suffer at every turn.

My joy in reaching my native land and meeting dear friends and family once more was shadowed by that vision on the wharf and by the knowledge that by the thousands still they come, and from lands where woman, as a mere beast of burden, is infinitely more degraded than by any possibility she can be here. Do you wonder, in view of what the character of our future law-makers may be, that we are filled with apprehensions of coming evil, and that we feel that there is no time to be lost, if our Saxon fathers ever propose to throw around us the protecting power of law and Constitution?

The next generation of women will not argue with their rulers as patiently as we have done, and to so little purpose for half a century. You have now the power to settle this question by moral influences, by wise legislation. But, if you can not be aroused to its serious consideration, like every other step in progress, it will eventually be settled by violence. The wild enthusiasm of woman can be used for evil as well as good. To-day, you have the power to guide and direct it into channels of true patriotism, but in future, with all the elements of discontent now gathering from foreign lands, you will have the scenes of the French Commune repeated in our land. What women, exasperated with a sense of injustice, have done, in dire extremities in the nations of the Old World, they will do here.

The justice and moderation of our demands have always seemed to me so apparent that the bare statement should have sufficed long ago. The protracted struggle through which we have passed, and our labors not yet crowned with success, seems to me sometimes like a painful dream in which one strives to run and yet stands still, incapable alike of escaping or meeting the impending danger. I would not pain your ears with a rehearsal of the hopes ofttimes deferred and shadowed with fear, of the brightest anticipations again and again disappointed. I will leave it to your imagination to picture to yourselves how you would feel if you had had a case in court, a bill before some legislative body, or a political aspiration, for nearly half a century, with a continual succession of adverse decisions, while law and common justice were wholly on your side. Such, honorable gentlemen, is our case.

Every point of constitutional law has been argued over and over, not only by our coadjutors, but by some of the ablest men in the nation. These arguments still remain unanswered.

It is fair to suppose that, understanding the provisions of the Constitution, you know that women being persons born and naturalized in this country are citizens of the United States, and of the State wherein they reside, and that they have the same inalienable right to life, liberty, and happiness, to self-government and self-protection that each of you possesses. Like you, women pay taxes and the penalty of their own crimes. If they commit theft or murder they are imprisoned and hung. If compelled to represent themselves on the gallows, why not at the polls? Surely the latter duty could be much more gracefully discharged than the former.

In looking over the majority reports I find the chief subterfuge of some of our opponents is that woman would be a dangerous element in politics.

First. They fear the vicious women, as it is supposed that they would rally a mighty multitude and all go to the polls, drive all the virtuous women away, completely demoralize the men, and sap the foundations of party platforms and political life. The women of the French revolution are supposed to illustrate what this class would do.

Second. They fear the fashionable women, because they would vote for handsome men, make their parlors symposiums for the discussion of questions of political economy, sacrifice their country to personal ambition and family aggrandizement, and spend so much time in the galleries of legislative assemblies as to distract the attention of statesmen from the great work of government.

Third. They fear religious, devout women, because they would destroy the secular nature of our Government by introducing the name of God into the Constitution, and establishing religious tests for political parties and platforms.

Fourth. They fear married women, because they would vote with their husbands, and thus merely double the vote, or they would vote directly opposite, and thus destroy the family relation, which in either view would be a public and social calamity.

Fifth. The colored women. After wasting reams of paper and an immense amount of brain force in drawing up the fourteenth amendment expressly to keep this class out of the body politic, it would be most aggravating, after twenty years of safety, to find them citizens of the United States under this very amendment.

Though I believe in universal suffrage, yet I am willing you should begin the experiment of womanhood suffrage with the smallest minority you deem safe, so that by enfranchising some women you overturn the present aristocracy of sex.

Well, gentlemen, to make the first practical step for you as easy as possible, why not exclude these five classes for the present and begin your experiment "with spinsters and widows" who are householders. This is the basis on which England extends municipal suffrage to women. You have the power to extend and withhold the suffrage, as you choose; there is no reason why you should begin with universal suffrage for women. We can not ask you to be more generous to us than you have been to your own sex. Men at one time voted on qualifications of property, education, color, but each in turn were abolished in some States, and in some States still remain, except color, which was abolished for men by the fourteenth amendment.

Though my coadjutors all believe in universal suffrage, yet I think we should be willing to let you start with spinsters and widows who are householders. Having homes of their own it is fair to suppose that they are industrious, common-sense women, neither vicious, fashionable, nor ambitious for family position, women who love their country (having no husbands to love) better than themselves. With this class, you escape all danger of family upheavals on the one side and doubling the vote on the other. In this way, by admitting some women into political life, we overturn the aristocracy of sex.

Do you realize, gentlemen, that in establishing manhood suffrage you made all men sovereigns and all women subjects? This, the most odious form of aristocracy that the world ever saw, is the only one we have; an aristocracy that makes all men, black and white, foreign and native, lettered and unlettered, washed and unwashed, virtuous and vicious, the rulers of refined, educated, native-born women; an aristocracy that destroys the happiness of social life, exalting the son above the mother who bore him, engendering an insidious contempt for woman among all classes expressed in the debates on this question at every fireside, in the halls of legislation, in our laws and literature, alike in poetry and prose, most depressing to sensitive women, insulting to those who have a proper self-respect, and alike exasperating to all.

In the history of the race there has been no struggle for liberty like this. Whenever the interest of the ruling classes has induced them to confer new rights on a subject class it has been done with no effort on the part of latter. Neither the American slave nor the English laborer demanded the right of suffrage. It was given in both cases to strengthen the liberal party. The philanthropy of the few may have entered into those reforms, but politicial expediency carried both measures. Women, on the contrary, have fought their own battles; and in their rebellion against existing conditions have inaugurated the most fundamental revolution the world has ever witnessed. The magnitude and multiplicity of the changes involved make the obstacles in the way of success seem almost insurmountable.

The narrow self-interest of all classes is opposed to the sovereignty of woman. The rulers in the state are not willing to share their power with a class equal, if not superior, to themselves, over which they could never hope for absolute control, and whose methods of government might in many respects differ from their own. The anointed leaders in the church are equally hostile to freedom for a sex supposed for wise purposes to have been subordinated by divine decree. The capitalist in the world of work holds the key to the trades and professions and undermines the power of labor unions in their struggles for shorter hours and fairer wages by substituting the cheap labor of a disfranchised class that can not organize its forces, thus making wife and sister rivals of husband and brother in the industries, to the detriment of both classes. Of the autocrat in the home, John Stuart Mill has well said:

> No ordinary man is willing to find at his own fireside an equal in the person he calls wife.

This society is based on this fourfold bondage of woman, making liberty and equality for her antagonistic to every organized institution. Where, then, can we rest the lever with which to lift one-half of humanity from these depths of degradation, but on "that columbiad of our political life—the ballot—which makes every citizen who holds it a full-armed monitor?" [Applause.]

Miss ANTHONY. I would say to the committee that Mrs. Stanton stands ready to answer any questions you may choose to ask her. I

see Senator Brown has come in; I am happy to see him. Has he any questions to ask of Mrs. Stanton?

Senator BROWN. I believe I have no questions to ask.

STATEMENT OF MRS. SCATCHERD.

Miss ANTHONY. If the committee have no questions to ask Mrs. Stanton, I should like to present to them representatives from the different countries of the old world. First, I will introduce Mrs. Alice Scatcherd, of Leeds, England. She is here to represent the Edinburgh Women's Suffrage Society; also Yorkshire, Darlington, and Southport Women's Liberal Associations, the parent society of which is the Women's Liberal Federation, with Mrs. Gladstone as the president.

Mrs. SCATCHERD. Mr. Chairman and gentlemen, I deem it a great privilege to be allowed to speak before this committee for a few moments. We foreign delegates have had a most wonderful experience during the past week, but it did not take that experience to tell us what we already knew before, that the women of this great Republic have in many respects advantages over the women of the Old World. We came expecting to learn much, and we have, indeed, learned much from the women of your country. But on the other hand we see that there are some respects in which we English women, at any rate, have the advantage of them, and I think that is notably in the matter of voting at municipal and local elections.

There never was a time in our country, so far as I have been able to ascertain, when women who paid the same rates and taxes as men had not the same local vote. That has been our right from time immemorial; and whatever extension of local government is made in our country, no one ever dreams of depriving those women rate-payers, namely, the widows and spinsters who pay rates, of having the franchise. In the year 1835, when the municipal reform act was brought in, an attempt was made to deprive women for the time of that vote. It was done more from carelessness than intention. Various localities were then turned into municipalities, and for a time it occurred that women who had voted in the locality were deprived, when that locality was turned into a town, of the vote. Directly attention was called to this matter it was remedied at once. When the district of Southwark was turned into a municipal borough, the majority of the householders were women, and it struck our legislators as absurd to give only to a minority of the householders the vote in local matters.

Women also vote at the school-board elections with us, and I must say that they do use their vote largely and well, and take an especial interest in these elections. We have not found, because women mix freely with men on those occasions, any of the terrible things which were predicted to happen. Women sit upon the school-boards and take an active part in the education of our country.

But, more than that, we women also have a vote for what we call our poor-law boards—our boards of guardians—and women sit upon those boards. And here let me say that our men are beginning to realize that they can not settle great social problems without calling in the help of women; and that wherever children, the aged, the sick, the poor, the erring, the fallen, and the weak are concerned, there is woman's right place. (Applause.)

It has often been said that women would not vote at elections, nor take part in them if they had the right to do so. My experience is ex-

actly the contrary. Our women do vote in quite as large a percentage as our men vote. If an election is lost in any ward of our town you usually hear the candidate who has lost say it was the women who have not come forward and who have not supported him; it is the women who have really lost him his election. Practically we have won both the Conservatives and Liberals to accepting the right of women to vote. If the franchise were granted to our women rate-payers—and that is all we ask for in England at present—there would be found one woman to every six or seven men voters, and I really do think with a majority like that in their favor the men are quite able to take care of their own interests. [Laughter.]

We have had actual experiment of parliamentary voting in the Isle of Man. I, myself, ran over there at the time of the passing of the reform bill for that island, which, as you know, possesses its own house of legislature and makes its own laws, subject to the approval of our Imperial Parliament; and there it was not the women occupiers, those who paid rates, who were admitted to the franchise, but only the women owners of property, of which in that small little island there are six hundred and forty-two. They have voted, and none of the evil things that were predicted as going to happen have happened, but I believe they have voted with very great benefit to the government of that little kingdom.

Well, as we have not got our parliamentary franchise yet, the women of our Kingdom have not waited for that, but take a very active part indeed in political matters. The conservative women, the women of high degree and title and great position in our land, have come forward, and going on their mission have formed what is called the Primrose League. It has titles, badges, and lodges, and what not. But there is the great fact that a very large political movement is going on among the aristocratic women of our country, and that they take a great interest, a very active interest, in political matters.

On the other hand, we have what we call the Woman's Liberal Associations, which are founded for the avowed purpose of educating women in sound Liberal principles, and taking part in all the local elections, and indeed in the parliamentary elections, too. I am bound to say that, while those women read papers and hold discussions once a month upon political subjects which affect women, their meetings are not confined to women. Men find them so interesting that they attend in large number, and take part in the discussions as well as women.

I ought to say that Mrs. Gladstone is the president of the Woman's Liberal Federation. [Applause.]

To tell women to let politics alone is really to reduce one-half of the race into actual and practical slavery. I, myself, should have been forced to take an interest in politics immediately I landed in your country, if I had not done so before. When I opened my luggage for examination, it was very kindly and politely examined by a woman examiner; but I had put in my large trunk my husband's dress suit merely for convenience sake, as he was to follow me a week later in the *Umbria*. I was taken from one office to another and had to pay $6 duty upon that dress suit. Now, gentlemen, that was a question which would have made me think about free trade or fair trade if I had never thought about it before. [Laughter.]

Holding, as I do, that every home is better for the influence of men and women, I also hold that all local councils are better for the influence of men and women, and that national councils are the better for that influence. I do not speak after one or two years' work or after recent conviction, but after twenty-three years of hard and faithful work for the

town and the district and the county in which I live. Living, as I do, in the heart of a great manufacturing district, and looking on it not in the mere surface light, but grasping all the circumstances that affect the district, I must say that at every turn I am met with the conclusion that the franchise is necessary for women, not only to promote those social reforms and improvements which she has in her mind, but also to protect such interests as she already possesses.

I have never been one of those who have struggled for exact equality between men and women. I do not think, gentlemen, that we are equal in any way; rather are we equivalent, men and women, to each other. Men have done wonderful things. They have laid the material foundations of the social structure; and as I come across in the grand ships which have been built, as I travel on your railways, I never cease to admire the foresight and the ability, the thought and the forethought which you have evinced; but you can not now proceed as you ought to do unless you take into council the women of your country. You can not build the superstructure upon the foundations which you have laid unless you consult women.

Mrs. Stanton has mentioned many of the social points on which we have views, and we long to lay those views before you to have them put in practice, and I do hope the time is coming when good men, those men who think seriously, will gradually come and say to us, "what do you think upon these social problems"? "Will you come and will you help us solve them"?

I do not wish to take up any more of your time. I am very grateful, indeed, for having been allowed to speak to this committee, and to testify here before all these American women, and before you gentlemen, our great gratitude, and how much we have learned in your country, and how our thoughts have been drawn together at the great council which has just been held. [Applause.]

STATEMENT OF MRS. GROTH.

Miss ANTHONY. Now I want to go across the narrow bit of water and introduce to you Mrs. S. Maglesson Groth, of Norway.

Mrs. GROTH. Gentlemen, I have seen very splendid things in America. I have seen evidences of your friendship and of your independence. I come to tell you that a law has been passed in Norway and all men are in favor of woman suffrage in Norway, and it has been very highly successful. [Applause.]

STATEMENT OF MISS TRYGG.

Miss ANTHONY. Miss Alli Trygg, of Finland, is not exactly a delegate, but she is a Finn. The delegate, Baroness Alexandra Gripenberg, is at the Riggs House, and has not been able to attend a single meeting; but Miss Trygg, her intimate friend, who is an educator from the little country of Finland, is here, and so I want to introduce to you Finland.

Miss TRYGG. Gentlemen, I do not know English very well, but I come to speak to you a few words as well as I can. If I could speak it well I should have very much to tell you. I am a daughter of Finland, which is united with Russia, and you know what that means so far as liberty is concerned. I can tell you what is the greatest moment in my whole life; it is when I stand here under this ceiling in a building

where laws are made for a free people, but your trouble is they are now made for a half of the people and not made for the whole of the people. I can not tell you how much I enjoy my being here in America. I hope I shall be able to come back in ten years to the half-century jubilee, and then I shall see all the women in this great country represented, and then they need not come here and ask you any more to give these rights to women. I hope to see that day. [Applause.] I thank you.

STATEMENT OF MME. BOGELOT.

Miss ANTHONY. Now I want to introduce to you Madame Bogelot, of Paris, France.

Madame BOGELOT addressed the committee in French.

GENTLEMEN: I am here to represent the women of France who are working on behalf of prisoners of their own sex. We feel that the more oppressed is the woman by her own failure and by the want of pity in those about her, so much the more does she need the help and strength of all good women to save her from despair. We feel also that the laws of our country are very unjust to many women, and that until women have a voice in the making of laws they will continue to be so. We feel also that all our efforts for uplifting women are crippled by the inferior position of women to that of men before the law.

STATEMENT OF MRS. CHANT.

Miss ANTHONY. We have three delegates from England, but I am very sorry to say to you that the third one is overcome by our climate or our cordial welcome or something, and she is not able to be here this morning, and that is Mrs. Dilke. I now have the pleasure of introducing to you Mrs. Laura Ormiston Chant, of London, who is present here with us by authority as a delegate of Edinburgh, of which society Mrs. Priscilla Bright McLaren is the president. Mrs. McLaren, as you recognize by the name, is the sister of John and Jacob Bright. Mrs. Chant also represents the Glasgow Women's Suffrage Society, the British Women's Temperance Society, the National Vigilance Association, as well as two or three others, including the Women's Peace and International Arbitration Society.

Mrs. CHANT. Mr. Chairman and gentlemen: It is a great thing, surely, to be allowed, as an English woman, to stand here and plead in the name of American women for that which we hope American women will soon enjoy. I should like to remind you that those of us women who are striving to gain the suffrage for women are not the indifferent, the vicious, or the fashionable, of whom Mrs. Cady Stanton spoke, but we are women of all countries who are prominent in all philanthropic work, all educational work, all literary work, and all work that is for the uplifting and advancement of humanity in any way. There are very few of us women—I can speak for Great Britain and Ireland—who have not noble ancestors who have stood prominently forth in the history of the world as advocates of freedom of all kinds, and we think it a fitting and beautiful thing to-day that we, their daughters and granddaughters and great-granddaughters should be standing here, some of us certainly, under the roof of a building which embodies the liberties of as great and magnificent a national constitution as the world has

yet seen. It is a fitting thing that we should be allowed the honor of standing before you to-day, echoing faintly, it may be, the voices of those, our men, who have gone before us, who sounded the first clarion notes of liberty, of which we hope we are giving the echoes.

I stand here as the great-grandniece of one of the greatest orators and clearest and wisest statesmen that Europe has known, and that is Edmund Burke [applause]. It seems to me an almost overwhelming humility that I should be able to echo faintly the magnificent impeachment that he made against Warren Hastings, in our House of Commons, on behalf of the oppressed women of Hindostan, in this my passionate appeal on behalf of oppressed women all over the world. We women feel that while women have no voice whatever in making the laws, the central necessity of the human life is in great danger of being taken away from them, the necessity of earning bread and having land on which to live. No one has denied to women the right of burial, and in that one sad necessity of human life they stand on an equal footing with men; but I see in our England that while women have no recognized voice in making law by helping appoint the law-makers, the power of women to earn bread and possess a home is in constant danger, and is being lessened more and more, as the increasing electoral rights of men place greater differences between the sexes. Oh, I wish you could hear behind my voice, I wish you could feel behind my heart and my thought, the agonies and sorrows of those thousands of poor and oppressed and downcast women in our England who come to your shores as a last resort, to find that which the Old World has denied them! We are oppressed in our country by centuries of feudalism and monarchism, and you are not. We are old; we are in the sunset of a grand past; and you are in the glorious dawn somewhere near the morning and advancing towards a day of which the world has never known the equal for its splendor.

Therefore we pray to you, by the lessons taught by ancient Egypt, where they recognized and did not hesitate to put into force the equality of women, by ancient Greece where women obtained an educational height that they have not yet attained anywhere else so long as they were not the women of the family, and by ancient Rome, where women had such power that the life of a man in the arena might be dependent on the upturning or downturning of the thumb of the frivolous or the vicious woman in the amphitheater, to be wiser than them all, and free womanhood from the artificial disability of sex in national life. To-day the women who are laying down their lives for the good of their country in temperance, in purity, and in education, aye, in politics, too, because we are most of us women who feel that what religion is to the individual, the duty to God and man, that politics is to the nation, duty to God and man also [applause]—we ask that the religion of the nation shall not exclude women any longer.

When I saw your magnificent churches here yesterday opened to the voice of women in a way in which our English churches are not, I could only hope that we may be able to take back over the Atlantic the example of the new country into the old to quicken the movement there and teach the great lesson that offices should be filled by those whose gifts render them fit for the post, irrespective of sex.

In the enfranchisement of women is the race between the Old World and the New. We possess to-day a majority in our English House of Commons on behalf of woman suffrage, and we have never possessed that before; but what blocks the way is the cause of that oppressed coun-

try, Ireland, and I, for one, feel that I would rather that Ireland should continue to block the way till in her emancipation from centuries of injustice the great principle of freedom for all without respect of person, race, or sex has been vindicated in the eyes of the world by granting her home rule. Here is the old mother with her grand past, and the daughter with her magnificent future. If you win this race we shall bless you, and you will see not only England, Scotland, and Ireland, but Russia, Germany, Italy, and Spain following in your lead. Do not let us fail. By all you have held most sacred and beautiful in the women who have loved you and made life possible for you—for their sake and in their name, I do entreat you no longer to allow one of your grandest women to plead for over half a century, but say "the past has been a long night of wrong, the day has come and the hour in which justice shall conquer." Open your arms wide now and take into the protection of the law the womanhood as well as the manhood of your country. [Applause.]

STATEMENT OF MRS. JULIA WARD HOWE.

Miss ANTHONY. Now, gentlemen, I have the pleasure of introducing to you the woman who has stood at the head of literature in Boston, the woman who twenty-five years ago wrote "The Battle Hymn of the Republic," the president of the Association for the Advancement of Women, Mrs. Julia Ward Howe, of Boston.

Mrs. HOWE. Gentlemen, I had not expected to speak here to-day, and my heart has been full enough with the words of others that have been here uttered; but a single word will enable me to cast in my voice with theirs with all the emphasis that my life and such power as I have given it will enable me to add.

Gentlemen, what a voice you have here to-day for universal suffrage. Think that not only we American women, your own kindred, appear here, and you know what they represent, but these foremost women from other countries, representing not only the native intelligence and character of those countries, but deep and careful study, and the precious experience which is derived from earnest labor for the good of society and for the elevation of the race; and think that between them and us, who are for suffrage, there is entire unanimity. We all say the same words; we all are for the same thing.

I have never had the honor to speak in this Capitol of our dear, glorious country before; but in my adopted State of Massachusetts, the aspect of the legislature is not unfamiliar to me. How many times, with my colleagues, have I toiled up those steps, and have got more "leaves to withdraw" than it is worth while to count here, but each one of those counts behind us: and as the difficulties had to be overcome, as the steps that had to be taken were taken, with each one there has been one cure for us there, and so we all pressed onward in one great and fervent hope, which is a deep religious hope, and which I am sure the oldest and most honored of us will live to see realized; and as we speak not only together, but each has her own voice, I will say that while I desire very much that the two classes mentioned by our honored chief, Mrs. Stanton, shall be enfranchised, I will not abate one jot of my demand for all women [applause]—not that I love spinsters and widows less, but that I love all woman kind more [applause].

STATEMENT OF MRS. MERRICK.

Miss ANTHONY. Gentlemen, I want to present to you a lady whom I see sitting here. I remember when I talked to Senator Brown a couple of years ago he said he did not know a woman in the South, in all the Gulf States, who wanted to vote, and especially in Georgia. Now, I bring you up a woman from Louisiana who does want to vote. Senators, Mrs. Judge Merrick, of New Orleans.

Senator BROWN. With great deference, I think you state it a little too broadly. I said the number was not very large, probably.

Miss ANTHONY. But I want to show you at least one. Mrs. Merrick is the widow of a man who prior to the war was chief-justice of Louisiana, and she is a woman who stands at the head of a large number of the most intelligent and cultivated and representative women of the Gulf States, and I do hope that our Southern members of Congress and of the Senate will come to know that there are women in their midst who want to vote, as well as the Northern representatives, who know they have among their constituents many such women.

Mrs. MERRICK. Honorable gentlemen: When Miss Anthony says that I wish to vote, she says the truth. If any one asks me when I became a convert, I will say that I believe I was born that way. I have been a married woman for forty years, and I have eight grandchildren, and my husband and my two sons and my brother indorse everything that I do on this question, but only of late years. It has taken those forty years to bring them to my position that I had in the beginning, for I always believed that woman was an equal factor, and when she counts in the church and when she counts in the family, she ought also to count in the government.

But you have heard this thing over and over. It is not asking too much that when a woman is admitted to the tax-list she should also be admitted to the ballot. When my son became twenty-one years of age we were in the North, and he wanted very much to go South to vote for Cleveland. His father was unwilling that he should, but I used my influence and he was permitted to go. When I took leave of him I said, "My dear son, you are so glad you are going to vote, being twenty-one years of age, and now you are going South to vote for the first time; remember that your mother will always be a perpetual minor and that she feels humiliated and mortified on that account." He said, "Mother, I wish you could vote." I said, "Well, I am so happy in having so young a son express such a wish that I can do without voting for a while." [Laughter.] But when Miss Anthony invited me to come here I was sick and not able to come. My son said, "Although you are a woman's rights woman why should you commit suicide by going to Washington with that dreadful cold?" I said, "My son, I am going to take my chances. Miss Anthony says she wants to see a Southern woman who wishes to vote, and I am going to stand up and be counted, even if I have such a cold that I can not talk."

Gentlemen, you are very kind to hear this Southern woman who does not bring anything but her simple voice, that she wants the ballot for herself and for her granddaughters, and she hopes they, at least, will live to see the time when they will have it if I do not. I thank you, gentlemen.

REMARKS OF MISS ANTHONY.

Miss ANTHONY. It is but fair for me to state that in this room there is probably at least one woman representing each State or Territory of this Union. I think during the sessions of the council—we have been so busy that we have not had time to look it up—but we have not a State or a Territory that has not been represented in the meetings during the past week. I need not say that we all hope that this first Congress of the second century will take the initiative step towards securing the enfranchisement of woman.

I want to say in conclusion what perhaps I need not say, that I hope this committee or the chairman of it, will make a motion on the floor of the Senate that shall secure an order for the printing of a good large number of the speeches and addresses which have been made here this morning. This convention, this year, rounds out the first forty years since woman began to make a public demand for enfranchisement in this country, and therefore it is fitting that your honorable committee shall make this hearing mark this epoch by thus publishing the report of the proceedings. I wish you would ask leave to publish a hundred thousand copies, that we might have them sent to every school district of the United States. But if you can not bear to have the Government do so much for the women of this Republic and of the world, ask for the largest number that the law will allow you to get.

I thought I had asked a representative of every distant country to be heard, but I find that I have omitted to call upon Canada, which is not distant. I now present to you Mrs. Keefer, of Toronto.

STATEMENT OF MRS. KEEFER.

Mrs. KEEFER. Mr. Chairman and honorable gentlemen of the committee: I think that I am an American citizen, although I live just across the line, and as I stood in your House of Representatives the other day and watched the flag over the head of the Speaker, I wondered to myself if the time would ever come when the beaver and maple leaf would find a place somewhere around and just under the stars and stripes. I am so glad to be here this morning, and to add my voice to the voices of your own women who have been pleading with you for the vote. I do not ask the vote to be extended to spinsters and widows only. I do not ask you to put a premium on unmarried women, although we have it in our country. I ask that the vote may be extended to all women as it is to all men, for right is right, and you can not make it wrong, and you can not make a part wrong of a whole right.

We have a little experience in our country in regard to the woman's vote, and we know that it is one of the very best factors that enter into an election. We have seen our council chambers purified of a great many things that were there before. We have seen cleaner, better, grander, nobler men put into our councils all through the province of Ontario because of the woman's vote.

Men and brethren, you need the woman's vote here, just as much as we need the woman's vote over there. I know that a great many of you have an idea that if we women vote it will injure us. You think that politics have got into such a muddle, have got so dirty some way or other that the dirty house is not fit for us to live in. But men and brethren, did you ever see a dirty house that was fit for a man to live

in if it was not fit for a woman, and did you ever see a house that was clean enough for a man that was too dirty for a woman? Nay, further, did you ever see a dirty house that was fit for a man to live in until some woman or other had got into it and cleaned it up for him? [Applause.]

STATEMENT OF MISS FRANCES E. WILLARD.

Miss ANTHONY. The committee ask to hear Miss Willard, and I ask her to please come forward.

Gentlemen of the committee, here stands before you a woman who is commander-in-chief of an army of women in these United States, who commands to-day an army of 250,000 women. It is said women do not want to vote, but this woman has led up this vast army to the ballot-box, or to a wish to get there. Gentlemen, I present to you Miss Willard.

Miss WILLARD. I suppose these honorable gentlemen think that we women want the earth, when we only want half of it. That is just exactly where we stand. We call their attention to the fact—I do not know whether it has been brought out here this morning, but it is a fact—that our brethren have encroached upon the sphere of woman. They have very definitely marked out that sphere, and then they have proceeded with their incursion by the power of invention. They have taken away the loom and the spinning-jenny, and they have obliged Jenny to seek her occupation somewhere else to an extent. They have set even the tune of the old knitting-needle to humming by steam. So that we women, full of vigor and full of desire to be active and useful and to re-act upon the world around us, finding our occupation industrially largely gone, have been obliged to seek out a new territory and to pre-empt from the sphere of our brothers, as it was popularly supposed to be, some of the territory that they have hitherto considered their own. As I understand it, that is the rationale of the present crowding in of these women. If you had left them spinning-jennies and looms and the knitting-needle, they might not be here. But you shrewd Yankees set to work and put spindles and steam at your service, and lo and behold we need more occupation, and so we think it will be very desirable indeed that you should let us lend a hand in the affairs of government.

We know that in the olden time when force was at the fore, and had to be, women were at a discount, but we accept that and have no complaint to make. We think, however, in these "piping times of peace" women may well pipe up and may be heard; and your presence, "grave and reverend signiors" and Senators, looking at us and beaming upon us so kindly and giving your time to us this morning, shows that you think just the same.

We call you to remember a certain incident in politics, namely, that when women had the vote, as they had for a brief space in New Jersey, thanks to the kindliness of the Quakers, who always thought well of women and marked them at their true value, it was the decisive vote of women in New Jersey that put John Quincy Adams in the great Executive Mansion at Washington. Then he, like the true and loyal man he was, stood up and argued that women should have the right to put their signature to petitions, which had not been done before. He remembered the women that he left behind him, and he it was who, when men in the Capitol at Washington said that if women put their names to a bit of paper in the way of a signature to a petition they

would lose their womanliness, that they would not care for their homes, and that they would become strong minded—he it was who declared that it would not make them a bit different, that they would still be womanly and kind and motherly and sisterly. The result was that women were given the right of petition, and have they not vindicated John Quincy Adams? You can not legislate the womanly trait into being.

It is said that if women are given the right to vote it will prevent their being womanly. I know it is a sentiment of chivalry in some good men that hinders them from giving us the ballot. They think we should not be what they admire so much; they think we should be lacking in womanliness of character, which we most certainly wish to preserve; but we believe that history proves they have retained that womanliness, and if we can only make men believe that, and if we can only make women believe that, the ballot will just come along sailing in a ship with the wind beating every sail—the ballot will come in the next ten years.

I ask you to notice here if the women who have been in this international council, if the women who are school teachers all over this nation, if the hundreds of thousands are not a womanly set of women. They have gone outside of the old sphere. We believe that in the time of peace women can come forward, and can, with peaceful plans, use weapons that are grand and womanly, and that her thoughts, winged with hope and the force of the heart given to them, will have an effect far mightier than forceful power. For that reason we ask you that that class of our women who, having a level head upon their shoulders, can be trusted shall be allowed to stand at the ballot-box, because we believe that at the ballot-box every person shows his individuality, and would show her individuality. The majesty or the meanness of the man—and by that I mean to include womanhood—comes out more at the ballot-box than anywhere else. The ballot is the compendium of all there is in civilization, and of all that civilization has done for us. We believe that the mothers who had the good sense to train noble men like you who have achieved high positions, had the good sense to train your sisters in the same way, and that it is a pity that the State has lost that other half of the conservative power that comes from a Christian rearing and a Christian character.

I have spoken thus on the principles which have made me, a conservative woman, devoted to the idea of the ballot, and have made me one in heart with all these good and true suffrage women, though not one in organic community. I represent before you the Woman's Christian Temperance Union and not a suffrage society, but I bring these principles to your sight, and I ask you, my brothers, to be grand and chivalrous towards us on this new departure that we now wish to make.

I ask you to remember that it is women who have given the costliest hostages to fortune, and out into the battle of life they have sent their best beloved with snares that have been legalized set on every hand. From the arms that held him long the boy has gone forever, and he will not come back again to the home, and can not come back again into the world. Then let the world in the person of its womanhood go forth and make a home, and make that home in the State and in society. By all the pains and danger the mother has shared, by the hours of patient watching over beds where little children tossed in fever and in pain, by the incense of ten thousand prayers wafted to God from earnest lips, I charge you, gentlemen, give women power to go forth so that when her

son undertakes life's treacherous battle still let his mother walk beside him weak but serious, and clad in the garments of power. [Applause.]

Miss ANTHONY. The chairman assures me that the resolution for the printing shall be passed.

The CHAIRMAN. No, presented.

Miss ANTHONY. Presented. Of course we know that whatever the chairman of this committee does present will be passed. Now, gentlemen, we are greatly obliged to you and I feel very proud of all my "girls" who have been brought up before you this morning, and you may consider the meeting adjourned.

Appendix II.

Hearing before the Committee on Woman Suffrage, United States Senate, January 24, 1889.

Thursday, *January* 24, 1889.

The committee met at 10 o'clock a. m. in the Senate reception room, to hear arguments in behalf of woman suffrage from delegates to the National Woman Suffrage Association.

Present: Senators Blair (acting chairman), Pasco, Palmer, and Chace, of the committee, and Senators Chandler, Dolph, Farwell, and Stewart.

Senator Blair (acting chairman). Ladies, the hearing is to be, as you all understand of course, upon the joint resolution (S. R. 11) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, which has been introduced in the Senate and referred to this committee, and is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States; which, when ratified by three-fourths of the said legislatures, shall be valid as part of said Constitution, namely:

Article —.

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Sec. 2. The Congress shall have power, by appropriate legislation, to enforce the provisions of this article.

The chairman of the committee, Senator Cockrell, is absent by reason of the death of his colleague, Mr. Burnes, a member of the House of Representatives, and Senator Vest, who was requested to attend, has sent a note excusing his absence by reason of the death of his colleague.

REMARKS BY MRS. ISABELLA BEECHER HOOKER.

Miss Anthony. Gentlemen of the committee, I will introduce to you first Mrs. Isabella Beecher Hooker, of Connecticut, who has a thought which she wants to present before the committee.

Mrs. Hooker. Gentlemen of the committee, Miss Anthony says that I have a thought to present to you. I have two thoughts, and the first is this: The women of this country have been deprived of the right of trial by jury simply because they have no vote. This was exemplified in the case of Miss Anthony in 1873, when Judge Ward Hunt, of the supreme bench, took the case from the jury, allowed them no consulta-

tion in their seats or out of them, and directed the clerk to enter up a verdict of guilty. And when the counsel for the defendant interposed, the judge closed the discussion by saying, "Take the verdict, Mr. Clerk," and the clerk then said:

> Gentlemen of the jury, hearken to your verdict as the court has recorded it. You say you find the defendant guilty of the offense whereof she stands indicted, and so say you all.

To this the jury made no response, and were immediately dismissed.

Our claim is that if a man had been on trial instead of a woman, Judge Hunt would not have dared thus to violate all rules of law. Do you ask why? I answer, simply because a man who votes has a political party behind him whose interest it is to protect him in his right to vote, and had the meanest man in this country been denied his right to a verdict from the jury, the party press of the country would have rung the changes on such an infamous proceeding till the unjust judge would have been compelled to reverse his own decision. But more than this, we claim that he never would have even thought of making such a decision except as against a disfranchised class of citizens.

I would it were my right or privilege to ask the members of this committee how many of them know that Judge Hunt did thus actually take the case from the jury. I have found very few gentlemen in Congress, on the bench, or at the bar who believe that this my statement is absolutely true; therefore I have rehearsed the story in this pamphlet, which I now lay before the committee in the hope that it may be printed as a part of my argument.

Do you ask why we have so long been silent on this matter, I answer, because as a disfranchised class we have no power to influence public opinion. "The Supreme Court has decided against your right to vote" was the cry all over the land, and it would have been suicidal to attempt to characterize at that time this verdict of a judge of the Supreme Court as an infamous one. But now Judge Hunt has gone to render his own account before a tribunal that knows no partiality, and I believe, friends, if he could stand here to-day in my place he would plead guilty before you and ask to reverse his own decision, that his soul might be at rest; and I feel sure it never will be at rest until he does reverse it somehow or somewhere.

My second thought is this: That whereas in the great centennial of 1876 women were denied all participation in the public proceedings that commemorated the birth of the Declaration of Independence, though they earnestly and respectfully sought to declare their sentiments of loyalty to the great principles of liberty and responsibility there proclaimed, and their fealty to the Constitution framed thereupon, they now should demand official recognition by Congress and the State legislatures and should be put upon every board of commissioners which, at the public expense, are to initiate and carry out the august ceremonials of the coming centennials of 1889 and 1892, to the end that taxation without representation shall no longer be acknowledged as a just and constitutional policy in this Government nominally by the people. And we ask you, gentlemen of the committee, to bring this matter to the consideration of the Senate, that in all future public occasions, that august body may take the lead in recognizing the women of the country as faithful citizens, worthy to be entrusted equally with men, with the responsibilities growing out of our national constitution and our republican form of government.

THE CONSTITUTIONAL RIGHTS OF THE WOMEN OF THE UNITED STATES.

[An address before the International Council of Women, Washington, D. C., March 30, 1888. By Isabella Beecher Hooker.]

In the month of August, 1774, that eminent statesman and true patriot, Thomas Jefferson, in a little tract entitled "A Summary View of the Rights of British America," used certain words which I will take for my text while addressing you to-day on the "Constitutional Rights of the Women Citizens of the United States." They are these:

"The whole art of Government consists in the art of being honest."

And again:

"The God who gave us life gave us liberty at the same time; the hand of force may destroy, but can not disjoin them."

May I ask your patient attention while I attempt to show: First, that under a proper interpretation of the Constitution of the United States, which he had so large a part in preparing, women have a right to vote to-day, on precisely the same terms with men; and secondly, that they ought, for various reasons, to exercise this right without subjection to molestation or delay, and men ought to help them to do so by every means in their power.

First let me speak of the Constitution of the United States, and assert that there is not a line in it, nor a word, forbidding women to vote; but properly interpreted, that is, interpreted by the Declaration of Independence, and by the assertions of the Fathers, it actually guarantees to women the right to vote in all elections, both State and National. Listen to the preamble to the Constitution, and the preamble, you know, is the key to what follows; it is the concrete, general statement of the great principles which subsequent articles express in detail. The preamble says:

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Commit this to memory, friends; learn it by heart as well as by head, and I should have no need to argue the question before you of my right to vote. For women are "people" surely, and desire as much as men, to say the least, to establish justice and to insure domestic tranquillity; and, brothers, you will never insure domestic tranquillity in the days to come unless you allow women to vote, who pay taxes and bear equally with yourselves all the burdens of society; for they do not mean any longer to submit patiently and quietly to such injustice, and the sooner men understand this and graciously submit to become the political equals of their mothers, wives, and daughters—ay, of their grandmothers, for that is my category, instead of their political masters, as they now are, the sooner will this precious domestic tranquillity be insured. Women are surely "people," I said, and were when these words were written, and were as anxious as men to establish justice and promote the general welfare, and no one will have the hardihood to deny that our foremothers (have we not talked about our forefathers alone long enough?) did their full share in the work of establishing justice, providing for the common defense, and promoting the general welfare in all those early days.

The truth is, friends, that when liberties had to be gained by the sword and protected by the sword, men necessarily came to the front and seemed to be the only creators and defenders of these liberties; hence all the way down women have been content to do their patriotic work silently and through men, who are the fighters by nature rather than themselves, until the present day; but now at last, when it is established that ballots instead of bullets are to rule the world, and we in this country are making and upholding our just laws by ballots alone, keeping our bullets for the few wretched Indians on the frontiers, whom we are wicked enough to wish to exterminate rather than to civilize and educate, now, it is high time that women ceased to attempt to establish justice, and promote the general welfare, and secure the blessings of liberty to themselves and their posterity, through the votes of men, because they can not control these votes and turn them to high moral uses in government; on the contrary, our brothers, the best of them, are at their wit's end to-day, and so appalled at the moral corruptions of the body-politic that they are ready, some of them, to throw away their own power to vote and go back upon the whole theory of our Government of the many, of the people (our Government nominally of the people, by the people, and for the people), and to ask for the government of the few once more, the few rich, the few wise, the few educated.

But I shall deal with this point hereafter. I only wish to fasten upon your minds now this thought, that women are included in this word "people" of the preamble, and were intended to be included as much as men, and that their non-use of the

ballot in all the past, because they chose to exercise their people's powers in other ways, has not cut them off from their right to use the ballot at any time they may see fit; and you will perceive by a careful examination of the whole Constitution which follows the preamble, and which became the law of the land so early as 1789, that women were embraced in its provisions precisely as men were, and that the word "people," so frequently used, always included them.

This is true of the four articles which I will consider, and of every other article in the Constitution where the word "people" is used. Article 1 of the amendments is: "The right of the people to peaceably assemble and petition for a redress of grievances," etc. No one doubts that women have that right equally with men; in fact, this is about the only political right that is cheerfully accorded to us to-day, because it is so easy to get rid of us and silence us in that way.

For years and years women have been petitioning Congress and the State legislatures to take down the political bars which men have put up, contrary to the National Constitution and the whole spirit of our Government, and allow them to become active coworkers in promoting the general welfare; but the reply has been "leave to withdraw," or its equivalent; and this simply because these women petitioners had no power to cut off the heads of these Congressmen and assemblymen (their political heads, I mean, because we do not believe much in bloodshed of any sort). So long ago as 1871 I got an order from a Senator to the Clerk of the Senate for a search for petitions then on file in his office, and here is the Clerk's report. He found the names of 20,000 women slumbering in the dusty pigeon-holes of his office, and the honorable gentleman who asked me, with a smile of contempt, "How many women really want to vote?" was surprised at the record, which was not a tenth part of the number who had been wearily petitioning our legislative bodies year after year since 1848.

And then there is article 2, with its provision for "the right of the people to keep and to bear arms," etc., which right women assuredly have equally with men, and which, unless some new protective element is brought into society, women will be compelled to use in self-defense as never before, for the crimes against woman in her very womanhood are becoming unendurably frequent all over our land. The new protective element, I hardly need say, is the ballot in her own hands, since it is already in the hands of these ruffians who make night hideous, and who virtually close the thoroughfares of our cities and villages even to all honest women the moment the sun has gone down. Have you ever thought of it, gentlemen? you who are opposed to woman's use of the ballot, that among her so-called protectors, who are to use her ballot for her, are these very men for whom we build most of our jails and penitentiaries, taxing the women to do it, and that every election day sees paupers and vagrants taken from the work-house to elect the men who are to make and administer the laws for all women, no less than all men?

Article 4 provides for "the right of the people to be secure against unreasonable searches and seizures," etc. Women surely need to be and are thus secured. And article 9 provides that the "enumeration in the Constitution of certain rights shall not be construed to deny others retained by the people."

Is it not perfectly clear that all these are the rights of women equally with men, and that the term "people" as here used was intended to embrace both?

Thus, then, the preamble and the Constitution under which our Government was formed and began its work of protective legislation, plainly embraced women in all its provisions; and when the preamble declares that the object of all was to secure the blessings of liberty to ourselves and our posterity, it surely did not mean to secure to men alone and their posterity these blessings of liberty, to the half of ourselves and the half of our posterity, but to the whole people, women as well as men.

And note, again, the word "secure" in this preamble, which is scarcely less important than the word "people." "Secure the blessings of liberty to ourselves and our posterity"—not give the blessings of liberty; as though the framers of the Constitution were autocrats, with power to bestow or withhold liberties, but secure the blessings of liberty to those who already had the right to them from God and by their own free nature, and who were coming together for purposes of defense and security as against an outside world that still insisted that liberty was not the right of the many but of the few, and who might be able to overthrow this right of individuals to life, liberty, and the pursuit of happiness, unless they combine together to defend and secure these rights.

And this is where the Declaration of Independence comes in as an interpreter of the Constitution, and it utters no uncertain voice on this question as to who are the "people" meant in the preamble and articles following. It says: "We hold these truths to be self-evident"—(mark that, self-evident; that is, that they require no proof)—"that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights"—(here again is the word "secure," not give, grant, or bestow)—"governments are instituted among men, deriving their

just powers from the consent of the governed" (not from the consent of half the governed—the consent of the male half—but the governed), and that "whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it, and institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

This is to say, the fathers in Congress assembled in Philadelphia on the 4th of July, 1776, proclaimed over the whole earth that governments derive their just powers from the consent of the governed, and that taxation without representation is tyranny; and for the support of this declaration, with a firm reliance on the protection of divine Providence, they mutually pledged to each other their lives, their fortunes, and their sacred honor; and yet we are told to-day that the women of these States have no right to vote until the men, who alone have been in the habit of voting, shall make some new and special laws to meet their case; in other words, till men shall grant women a right to life, liberty, and the pursuit of happiness, a right to promote the general welfare, a right to establish justice, and secure the blessings of liberty to themselves and their posterity. Now, friends, do you wonder that it makes my blood boil to hear such words as these; to hear from the lips of mere boys the assertion that they and their sex alone have the right to make and execute the laws that I and my daughters are to live under; that they are born to rule and I born to obey; that because I and other women have blindly thought and loved to think in all the past that law-making and law-executing were safe in the hands of our brothers and fathers and husbands, they being the accredited protectors of women, we are to leave men now and forever to the use of this power, when we have reluctantly opened our eyes to the truth that it is not good for man to be alone in the state any more than in the family, in the church, and in social life; that the state needs mothers as well as fathers, and that moral corruption will not only continue to prevail, but with an advancing civilization will be steadily on the increase, so long as woman is powerless to put down moral evils by the direct use of political power as well as by moral influence?

You tell me that I must submit to conditions before I can vote; I, who am a free-born citizen of the United States; while yet you admit this ignorant foreigner, if he is a man, to the full privileges and responsibilities of citizenship. I defy this assumption of power on the part of the men of this country. I declare to you as did the Apostle Paul: "I am free-born." "With a great price obtained I this freedom," said the Roman centurion to this patriotic old apostle; but he replied: "I am free-born."

Ah, friends, there is music in these words to my ear. They are the deep vibrations of a soul that loves its country as itself, and there are tens of thousands of women to-day that are ready to pledge their lives, their fortunes, and their sacred honor to the maintenance of their rights as free-born citizens of this Republic, and who will never willingly consent to such desecration of constitutions, State or National, as would be caused by the addition of special articles providing for the right of women to vote. Such articles would virtually read thus: "All men are created equal; all women are also created equal not only to each other but to men; all men may peaceably assemble and petition for redress of grievances, may keep and bear arms, may be secure against unreasonable searches and seizures, may retain to themselves all rights not enumerated in the Constitution, and all women may assemble, etc."

As well may theologians interpret "Whatsoever ye would that men should do unto you, do ye even so to them," to mean literally men, and therefore demand a new scripture specially to include women in these and the like injunctions: "He that believeth shall be saved, and he that believeth not shall be condemned," "No man can serve two masters," "A good man out of the good treasure of his heart bringeth forth good things," etc. No, friends, the truth is, precedent and prejudice, custom and blind conservatism, are the only barriers against women in government to-day. Constitutions are all right when properly interpreted and shorn of their man-made inconsistencies, and the laws are right save the voting laws. Every other law recognizes woman by the use of the masculine pronoun, and compels her to pay taxes, to be fined, imprisoned, and hung as he, his, and him, and it is simply absurd and wicked to tax and hang a woman by one statute and deny her right to vote by another, when the phraseology is precisely the same in both.

And now, as to the one article of the National Constitution which, it is claimed, forbids women to vote. Will you follow me patiently while I attempt to show that this article really in fact guaranties to women the right to vote for members of Congress rather than forbids it, and not only so, but it virtually calls upon the General Government to interfere with the State governments if necessary for the purpose of protecting women in the exercise of this right. That article reads thus:

"ART. 1, Sec. 2. The House of Representatives shall be chosen every second year by the people of the several States, and the electors of each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

Here you have it in full. The only paragraph in the United States Constitution that can be tortured to exclude women from voting for United States officers, and this is the way it is tortured by our adversaries. I speak advisedly when I say "adversaries;" for friends, it is no pleasant task, this work of going up and down the length and breadth of the land proclaiming that women are free, and ought to use their freedom under a sense of responsibility, and by the conscientious use of the ballot, the only token of political responsibility; and the men who keep up these laws of precedent and prejudice and shut us from the peaceful and womanly expression of our opinion and our will in matters of Government are therefore the worst kind of adversaries. They compel us to most unwelcome duty, and to penalties of whose sting they have but little conception. Some of us know in our hearts to-day of fire and fagot, whose burning makes deeper scars than the martyr fires of old, and were it not for faith in God and love to man we should have given up the contest long ago.

Here, then, you have, I say, the only argument against the right of women to vote contained in the Constitution of the United States, and briefly stated it is this: The latter clause says that electors for members of Congress must have the same qualifications as electors for members of the State legislature, and the constitution of Connecticut, for instance, declares in article 6, section 2, that—

"Every white male citizen of the United States, who shall have attained the age of twenty-one years and resided in this State one year and in the town six months, and shall be able to read any article of the constitution, shall, on his taking such oath as may be prescribed by law, be an elector of the State."

Now, say objectors, women are not white male citizens of the United States, and as these are the only ones that may choose members of the legislature, these are the only ones who may choose members of Congress. To which I reply: First, that by the fourteenth amendment to the Constitution of the United States the word "white" was expressly, and the word "male" virtually, blotted out from our State constitutions; and in Connecticut black men under that amendment were allowed to vote for years before the word "white" was expunged from its constitution; and, second, that the first clause of this article 2, section 2, which says that the House of Representatives shall be composed of members chosen by the people, denies to every State the right to make any qualification for State electors that shall interfere with the predominating right of the whole people to elect their members of Congress.

It is as if the United States Constitution had said "the right of trial by jury shall be secured to all the people of the United States," and Connecticut had said in her constitution "every white male citizen shall be entitled to a trial by jury." Plainly such an article of a State constitution would be pronounced null and void, and the only reason the other has not been so pronounced long ago is that in the beginning men alone thought of voting, wished to vote, did vote, and so the authors of the State constitution, in defining who should be electors, naturally, and as a matter of exactness, and without any thought of women, said "all white male citizens," with such and such qualifications, may vote; and the case is all the stronger for women than for black men, because the enslavement and disfranchisement of black men was contemplated, reluctantly it is true, but nevertheless contemplated and recognized by the National Constitution, while the disfranchisement of women was not thought of or seriously considered for a moment.

This is so plainly true that women did actually vote in a few instances in the earlier days, and they only ceased to do so because they did not appreciate its importance, or, as in New Jersey, because that State, in direct violation of the Constitution of the United States, as I think, specially disfranchised the women of the State.

And to those who may not be ready to admit that the National Constitution secures to women the right to vote in all cases equally with men, there is this special and decisive argument with regard to their right to vote for members of Congress. The Constitution, as we have seen, gives the right to the people of the State with only this limitation—that the electors for members of Congress shall have the qualifications requisite for electors for the most numerous branch of the State legislature. The right is absolute, except that the State may fix the "qualifications."

Now what is a qualification? Sex is not one. A qualification is something that may be acquired, as a certain age, a certain time of residence, ability to read, etc. A certain height of stature could not be, a certain color of the eyes could not be. Nothing natural and unchangeable could be. So sex can not be. The State, therefore in making sex a disqualification, has attempted that which it had no power to do, and its action is so far void.

If then, as is claimed, the United States may step in and punish a citizen of the United States for voting illegally for members of Congress, as in the case of Susan B. Anthony, because the State had limited the voting privilege to male citizens, surely the United States may much more be called upon to step in and protect the right of all the people of every State to become electors for members of Congress, including the women people as well as the men people. Do you not see it, friends? "Members of the House of Representatives shall be chosen by the people of the several States,"

and yet when one of these people, being an honest, law-abiding, tax-paying woman, after consulting the best lawyer in her city and being duly registered and sworn in as an elector, puts her ballot in the box for a member of Congress, the United States Government by marshal and commissioners seizes her, and by a judge of the Supreme Court of the United States condemns her to a fine and costs of prosecution, on the ground that the State of New York has a right to disfranchise half its citizens, they being guilty only of being women, and in the face of the express provision of this article that the people of every State shall elect the members of Congress of that State. And I may as well finish what I have to say of Miss Anthony's trial just here, because Judge Hunt's decision against her was based partly on this very article, and it is time that his interpretation of it and the consequences thereof were fully made known to all the people of this land.

Judge Hunt decided that the right of voting is a right or privilege arising under the constitution of the State, and not of the United States, and this in the face of the fourteenth and fifteenth amendments, recently ratified by three-fourths of the States, and thereby made as much the law of the land as any other part of the United States Constitution. These amendments read thus:

"Fourteenth. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law."

This amendment was supposed to cover the whole ground of enfranchising the black men made free by the thirteenth amendment, and it ought to have been sufficient.

But the white men of the South were naturally averse to seeing black men, just out of slavery, the chief rulers of their States, they being recently disfranchised themselves for rebellion, and they made it so difficult for black men to vote that the Republican party, who were absolutely dependent upon their votes for continuance in power, determined to strengthen the right of black men to vote by another amendment, and so they passed the fifteenth amendment, which reads thus:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. Congress shall have power to enforce this act by appropriate legislation."

And notice here, that while these specified grounds of denial are forbidden, this fifteenth amendment does not by implication authorize a denial on other grounds. If it did, a majority in a State might at any time disfranchise a minority. In a State like Massachusetts, where the women are in a large majority, they might, if allowed to vote (we will merely imagine the absurdity), amend the State constitution, and exclude all men from the franchise. Yet no one would for a moment claim that this action would be valid. It would be held by every court in the land that the men had, under the National Constitution, a right to vote that could not be taken away. And, by the way, a question is often made as to what this right to vote shall be called—whether a natural right or mere privilege. I do not care for names. But if the men of Massachusetts were thus debarred from voting, and were struggling to recover the franchise, their right to it would be precisely what that of women is to-day. I do not care what you call it. I am satisfied to call it a fundamental right.

Here, then, we have the Constitution of the United States declaring in the fourteenth amendment that all persons born in the United States and subject to the jurisdiction thereof are citizens, not only of the United States, but of the State wherein they reside; and in the fifteenth recognizing the right of citizens to vote; and yet a judge of the Supreme Court of the United States declares from the bench that the citizen's right to vote comes from the State alone, and thus that a State may disfranchise any of its citizens except black men, these alone being protected from disfranchisement by the latter clause of the fifteenth amendment—"on account of race, color, or previous condition of servitude." Thus you perceive that, as I have just suggested, a majority of the present voters in any State may, under this view, disfranchise every other voter who has gray hair or blue eyes, or any physical peculiarity but a black skin; may disfranchise all men over forty years of age, or all men worth less than $50,000, or all men of the temperance party, or the labor party, or the Republican or Democratic parties; in short, every one but themselves, the then majority of voters; and Judge Hunt accepted this conclusion and declared that this is the constitutional law of the United States as interpreted by him in his capacity of judge of the Supreme Court of the United States.

He did this because he was so imbued with the theory of State rights as against national rights, and so filled with prejudice against the rights of women in government that he was determined to interpret these amendments in behalf of black men alone, although the wording of them leaves no room for question that they embrace

all the people of the United States according to the meaning and intent of that word "people" in all the previous articles of the National Constitution.

And yet this is but half, and the least criminal half, of his unjust decision in the case of Miss Anthony. Not content with misinterpreting the law of the United States by proclaiming that the right to vote of every citizen but black citizens was subject to loss at the pleasure of a bare majority of voters, he denied to Miss Anthony the right of trial by jury—that is, he decided the case himself, and caused the clerk of the court to record the verdict of guilty without reference to the jury, who were impaneled for the case, who had been sitting all through the trial to hear the case, and who alone were legally competent to bring in a verdict upon it. And when Miss Anthony's counsel asked leave to address the jury he was denied; and when he asked that the jury be polled—that is, that each member might be asked by name if this was his verdict, he was again denied, and Judge Hunt then instructed the clerk to take the verdict, and the clerk said, in the usual form: "Gentlemen of the jury, hearken to the verdict as the court hath recorded it. You say you find the defendant guilty of the offense charged. So say you all."

No response was made by the jury, either by word or sign. They had not consulted together in their seat or otherwise. Neither of them had spoken a word. Nor had they been asked whether they had or had not agreed upon a verdict. No juror spoke a word during the trial from the time they were impaneled to the time of the discharge, and so soon as the judge refused to poll the jury he said, "Gentlemen of the jury, you are discharged," and the jurors left the box, and one of them declared to a bystander that guilty was not his verdict, neither was it the verdict of the other eleven. "Could I have spoken," said he, "I should have answered *not guilty*, and men in that jury box would have sustained me." It seems, friends, that he and the other jurors had a right to speak and to demand that the verdict be submitted to the jury in some way. But they did not understand their rights in this respect, and were naturally in awe of a judge of the Supreme Court of the United States, and the judge must have known that they would be thus awed, or he would not have dared thus to transgress the ordinary rules of law. And for this act he deserved impeachment, and had the accused been a foreign born, though naturalized, citizen of the United States, on trial for fraudulent voting, which is a criminal offense, you know, punishable by heavy fine and imprisonment, and had he been thus denied a verdict from the jury, the press would have rung out the injustice all over the land. And this simply because this man being an acknowledged voter would have had a political party behind him, whose interest it was to protect him and every other citizen, whether free-born or naturalized, in his right to vote.

Thus you see how in this right to vote is wrapped up the great volume of our cherished rights. Judge Hunt began with denying to women their citizens' right to vote, and by an easy step passed on to denying that right regarded most sacred of all, the right of trial by jury.

And the crime of Judge Hunt in refusing Miss Anthony her right of trial by jury was all the greater because there was no appeal from his court to any higher one, as is customary in all our other courts. A circuit court judge may review his own decision, but there is no appeal from his final decision in such a case as this, and in this case the judge refused even to reconsider the case, though strenuously urged to do so by Judge Selden, Miss Anthony's able counsel. Do you ask why Judge Hunt was willing thus to soil the purity of his judicial ermine and lower the dignity of the court? I answer, precedent and prejudice held him in bonds, as it does many other men of character and position, and he felt doubtless that he was rendering his country a good service when he pronounced it a crime for a woman citizen of the United States to vote under the same charter with the men citizens of the United States. And there are hundreds of men who think themselves both wise and just who would have been glad of his opportunity to do the same thing and thus crush out this heresy of woman's right to help to make and execute the laws she is to live under. But, friends, you remember that "truth crushed to earth shall rise again;" and this truth of the political equality of woman has risen already from its judicial grave and in white raiment is marching on, like John Brown's soul, conquering and to conquer. And the day is not far distant when this decision of Judge Ward Hunt will be overruled and trodden under foot, and he himself will be compelled to submit at last to a verdict, just but humiliating, a verdict recorded on high in the book of everlasting judgments.*

And now permit me to give you briefly the argument of woman's right to vote in our State elections as well as national, in consequence of the fourteenth and fifteenth

* The atrocity of Judge Hunt's course in Miss Anthony's case so strikingly illustrated the almost universal rule that in striking down one just right other important ones are trampled down with it, that I have thought it best to insert in the appendix a critical review of the matter, prepared at the time by my husband, Mr. John Hooker, and published in Miss Anthony's history of her trial.

amendments to the Constitution of the United States. It is simply this: Before the war, and reconstruction acts following it, the word "citizen" was not fully defined, some jurists contending that all persons owing allegiance to the Government and protected by it were properly citizens, and others, that only those who were accredited legal voters could properly be called citizens. Then, when the Republican party desired to enfranchise the black men, partly for the sake of securing their votes (I do not say that this was the sole motive) in the next Presidental election, it was not willing to deface the national Constitution by such words as these, "All black men, formerly slaves, are citizens of the United States," and "No State shall make or enforce any law which shall abridge the privileges or immunities of black men;" and again, "The right of black citizens of the United States to vote shall not be denied or abridged by any State," and therefore it was driven to the annunciation of a general principle of citizenship, applicable to all persons at all times, and this was the principle that "all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside." This a grand assertion, a true one, and one in harmony, as I have already shown, with the spirit and letter of the whole Constitution of the United States and the Declaration of Independence, and, like them, it embraced all women as well as all men, and secured to all women no less than all men their right to vote.

Now, friends, mark these words: "Secure" and "right to vote." Our claim is that the original Constitution gave no right to vote to any man or woman, but it simply secured to every man and woman his or her original natural right to govern himself or herself, except so far as he or she delegates this to others for purposes of social order. And these amendments, following the spirit of the Constitution in preamble and articles, declare that all persons are citizens, and recognize the citizen's right to vote. Can anything be plainer, then, than that a woman, being a "person," is a citizen, and being a "citizen," has the citizen's right to vote?

It was under this conviction that she had a plain right to vote, and therefore a plain duty to vote, that Miss Anthony determined to cast her vote for President and members of Congress at a certain election. And she succeeded in convincing the registrars of her ward and the inspectors of elections that she had this right, insomuch that they registered her name, and the oath of the elector was administered and her ballot was received and counted, and then the United States came down upon her as a criminal, and prosecuted her for illegal voting under a law of Congress passed in 1870 on purpose to enforce the provisions of the fourteenth and fifteenth amendments.

Please notice now that formerly each State had charge of its own elections and the United States had no right to interfere with the elections in any State, even though the election was for national officers, but in the eagerness of the Republican party to enforce the amendments which would bring black votes to their aid, they gave a new power to Congress in this section. "Congress shall have the power to enforce this article," viz, "the right of citizens of the United States to vote without denial on account of race, color, or previous condition of servitude." And Congress passed what is called the enforcement act of 1870, which is entitled "An act to enforce the right of citizens of the United States to vote in the several States of the Union." General terms again here, you perceive; not an act to enforce the right of black men to vote in the several States of the Union, but of all citizens of the United States. And the first eighteen clauses of the act are very minute in their provisions for the protection of these black men whose votes were wanted; and then there was a nineteenth clause, that was intended solely to hinder white rebel men from voting, who had been disfranchised during the war, and this clause reads thus: "If at any election for Representatives or Delegates to Congress of the United States any person shall vote without having a lawful right to vote, every such person shall be deemed guilty of a crime, and shall for such crime be liable to prosecution in any court of the United States of competent jurisdiction, and on conviction thereof shall be punished by a fine not exceeding $500, or by a term of imprisonment not exceeding three years, or both, in the discretion of the court, and shall pay the costs of prosecution."

And under this clause of the enforcement act of 1870, which was made expressly to punish white male rebel citizens for voting after they had been disfranchised for rebellion, Judge Hunt condemned Susan B. Anthony for the crime of voting "without having a lawful right to vote." This woman, the blackest of Black Republicans, who had, with others like herself, furnished Mr. Sumner with half his ammunition, in the shape of petitions from thousands and thousands of citizens in behalf of the black man—names which it was an enormous task to collect, but without which all appeals to Congress to do justice would have been in vain; this woman, who had violated the infamous fugitive slave law every time by giving the cup of cold water to the panting fugitive and speeding him on his way to free soil in Canada—she, thank God, of all women in this land, was selected by the Government of the United States to be prosecuted, dragged from one court to another, harassed during the space of nearly a year, tried at last in another city, and fined for the crime of vot-

ing for President of the United States and members of Congress, under an act entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union," and under a clause of that act that made it a crime for a rebel to vote, because he had been deprived of his citizen's right to vote by special act of Congress in consequence of his crime of rebellion.

And, friends, do you not know that no citizen can be lawfully disfranchised either by State or nation except for crime or rebellion, and then only by the judgment of his peers? But in this case of Miss Anthony, she was punished, not only as if she had been guilty of crime or rebellion, or both, but she was, so far as the unjust judgment of the court could do it, disfranchised for evermore, and that without the judgment of her peers, in a double sense; for she was not only denied the verdict of the male jury sitting there on purpose to render their verdict, but a jury of her peers she could not have, nor can any woman, so long as women are denied the right to vote and to sit upon a jury. And, in the case of Miss Anthony's jury, had they been allowed to render a verdict, it would have been a verdict not of her peers, but of her political superiors, and this would have been true of them however ignorant or uneducated they were; whether black men or white, drunk or sober, every man of them was her sovereign, with power not only to make but to administer the laws under which she is compelled to live.

And herein is the degradation of woman to-day, not only that she can not have a voice in making the laws and choosing officers to execute the laws, but she is compelled to be taxed, fined, imprisoned, hung even, by the verdict always of her political superiors, her male sovereigns, every one of whom is considered competent to legislate for her and to sit in judgment upon her by court and jury now and for evermore. Do you wonder that Miss Anthony declared to Judge Hunt that she should never pay this fine, or that he, apparently cowed by this modern John Hamden, blandly replied: "The court does not order you to stand committed till the fine is paid?" Judge Hunt knew full well that Miss Anthony would go to jail a thousand times before she would pay this unjust fine. And he knew also that the spectacle of this woman in prison for three years under charge of voting "without having a lawful right to vote" would rouse the nation to a sense of woman's political status before the law as nothing else could do; therefore he virtually remitted the fine, and by so doing sealed forever his own condemnation.

Do you ask, why recount this trial, and so asperse the character of a learned and otherwise upright judge? I answer, because his decision has become a precedent, and on this account we have been compelled to relinquish, temporarily at least, our high vantage ground of constitutional rights and guaranties and resort to the advocacy of an amendment to the National and State constitutions, measures alike dishonoring to the constitutions and to the womanhood of the country.*

We believe, with Senator Hawley, from my own State, whom I have been proud to claim as a personal friend for many years, that (and I now give his own language as reported in the Hartford Courant) "our Government involves a great deal of labor for us. 'Liberty is a burden, not a release,' a French philosopher has said. If you want ease, appoint as good a king as you can find, give him good counsellors, and tell them to save you all trouble. You will have ease; but if you desire real freedom, it means labor. The twelve million sovereigns of this country [notice here that my friend calls this voting half of the people the 'sovereigns,' just as I have done] are bound each to know something of the responsibility that is constantly taught in caucus, town meetings, etc. The caucus should be only a meeting of honest citizens to see what had best be done." And as there are thousands of women quite ready to assume this responsibility of seeing what had best be done in the primary meetings of all the cities and villages of our land, and thousands more who will do it conscientiously, though reluctantly, when called to it by invitation of their fathers, brothers, husbands, and sons, we desire most earnestly that the approaching second century of male legislation should witness a reversal of this unjust decision of Judge Hunt and proclaim the freedom and responsibility of all the citizens of these United States. Let our brothers, then, consecrate this opening century of constitutional government by an act of justice that shall be a supreme one, and that shall make our National Constitution forever a charter of the highest human rights. And let them, in token of their willingness to recognize our equal political rights, at least invite us to participate with them by personal representation in the ceremonial and pageant that is to welcome in this new century of constitutional government.

I said in the beginning that women ought to exercise their constitutional right to

* The official report of Miss Anthony's trial may be found in 11 Blatchford (Circuit Court Reports), 200, of the circuit court of the northern district of the State of New York, and the subsequent decision of the Supreme Court of the United States in the case of Mrs. Virginia L. Minor, of Missouri, for which Judge Hunt's decision became the precedent, may be found in 21 Wallace (U. S. Reports), 162.

vote, and men ought to help them to do so by every means in their power. And this for two reasons:

(1) Because questions of legislation to-day are largely questions of morals, and men alone are incompetent to deal with the morals of a community, however wise and just they may be, and however honest in their desire to promote the general welfare. Education, secular and religious, temperance, chastity, police regulations, penal institutions and reformatories—who has more interest than women citizens in all these questions, and more wisdom to bring to their solution?

(2) There can be no true manhood nor true womanhood when men rule and women merely obey. Every mother in her home, every woman teacher in our schools is at a discount to-day because of her political subordination. Every boy knows this, and consciously or unconsciously acts accordingly, and true political economy, which is only another name for the science of government, can never be taught until women are intelligent and responsible thinkers upon the subject equally with men, and are able to carry out their convictions at the ballot-box as men do. Hence, I repeat, it is the plain duty of every woman to desire to vote, and of every man to remove the obstacles in her way.

I will only answer one objection. It is said, "We have too many voters already. It is unjust, to be sure, to exclude all women on this account, but we can not help it. Men will not consent to be disfranchised, so we must make amends for our mistake in inviting all men to vote by forbidding all women." This is too much like Charles Lamb, who, being reproved for going so late to his desk in the morning, said he made up for it by going home early in the afternoon.

But have we too many voters? In other words, is the doctrine of God and the fathers of this Republic an unsound one, that personal liberty and personal responsibility are the only foundations of integrity, whether in the individual or the nation? No, it is not unsound. It is just as true to-day as it was at Sinai and Plymouth Rock.

"Thou shalt" and "We will," reads the Decalogue and the covenant of that old-time Jewish people; and thus in spirit speak the Constitution of the United States and the Declaration of Independence; and it is a grand and wholesome doctrine, and one we can not afford to lose sight of for a moment. But those do lose sight of it who say we have too many voters already. No, we have not too many. On the contrary, to take away this ballot even from the ignorant and perverse is to invite discontent, social disturbance, and crime. The restraints and benedictions of this little white symbol are so silent and so gentle, so atmospheric, so like the snow-flakes that come down to guard the slumbering forces of the earth and prepare them for springing into bud, blossom, and fruit in due season, that few recognize the divine alchemy, and many impatient souls are saying we are on the wrong path—the old world was right—the government of the few is safe; the wise, the rich should rule; the ignorant, the poor, should serve. But God, sitting between the eternities, has said otherwise, and we of this land are foreordained to prove his word just and true. And we will prove it by inviting every new-comer to our land to share our liberties so dearly bought and our responsibilities now grown so heavy that the shoulders which bear them are staggering under their weight; that by the joys of freedom and the burdens of responsibility they, with us, may grow into the stature of perfect men, and our country realize at last the dreams of the great souls who, "appealing to the Supreme Judge of the world for the rectitude of their intentions," did "ordain and establish the Constitution for the United States of America"—the grandest charter of human rights that the world has yet conceived.

OPINIONS OF LEADING THINKERS ON THE GENERAL SUBJECT OF HUMAN RIGHTS.

Richard Hooker, 1594: "Law, to bind all, must be assented to by all; and there can be no legal appearance of assent without some degree of representation."

Granville Sharp, 1778: "No tax can be levied without manifest robbery and injustice where legal and constitutional representation is wanting, because the English law abhors the idea of taking the least property from freemen without their free consent."

Lord Somers, about 1700: "Amongst all the rights and privileges appertaining unto us, that of having a share in the legislation, and being governed by such laws as we ourselves shall cause, is the most fundamental and essential, as well as the most advantageous and beneficial."

Priestly, 1772: "Political liberty, I would say, consists in power which the members of the State reserve to themselves of arriving at the public offices, or at least of having votes in the nomination of those who fill them."

Herbert Spencer: "However much the giving of political power to women may disagree with our notions of propriety, we conclude that, being required by that first

prerequisite to greater happiness, the law of equal freedom, such a concession is unquestionably right and good."

Henry Thomas Buckle: "The turn of thought of women, their habits of mind, their conversation, insensibly extending over the whole surface of society, and frequently penetrating its intimate structure, have, more than all other things put together, tended to raise us from the dust in which we are too prone to grovel."

Rev. Charles Kingsley: "One principal cause of the failure of so many magnificent schemes, social, political, religious, which have followed each other age after age, has been this, that in almost every case they have ignored the rights and the powers of one-half of the human race, namely, women. I believe that nothing will go right, that politics will not go right, that society will not go right, that religion will not go right, that nothing human ever will go right, except in so far as woman goes right; and to make woman go right she must be put in her place, and she must have her rights, and as to what those rights are I have very definite opinions, which I shall not give up for any arguments which I seem likely to meet with in this present generation."

Benjamin Franklin: "Every man of this commonalty, except infants, insane persons, and criminals, is of common right and by the laws of God a freeman, and entitled to the free enjoyment of liberty. They who have no voice nor vote in the electing of representatives do not enjoy liberty, but are absolutely enslaved to those who have votes and their representatives; for to be enslaved is to have governors whom other men have set over us, and be subject to laws made by the representatives of others, without having had representatives of our own to give consent on our behalf."

Otis's Rights of the Colonies: "The very act of taxing exercised over those who are not represented appears to me to be depriving them of one of their most essential rights as freemen, and if continued seems to be, in effect, an entire disfranchisement of every civil right. If a man is not his own assessor in person, or by deputy, his liberty is gone, or he is entirely at the mercy of others."

James Madison: "Under every view of the subject it seems indispensable that the mass of the citizens should not be without a voice in making the laws which they are to obey and in choosing the magistrates who are to administer them."

Abraham Lincoln: "I go for all sharing the privilege of the Government who assist in bearing its burdens, by no means excluding women."

Hon. B. Gratz Brown, Missouri: "I venture to affirm that the purity, the refinement, the instinctive reading of character, the elegant culture of the women of our land, if brought to bear on the conduct of political affairs, would do much to elevate them in all their aims and conform them to higher standards of justice. * * * The participation of woman in civil affairs is neither a new nor an uncommon experiment."

Hon. George W. Julian, Indiana: "I am highly gratified with the late demonstration in the Senate on the question of woman suffrage. Do you not admire the speech of Senator Brown? He takes the ground that I have ever done, that the right of suffrage and representation is a natural right, and not a privilege as many argue, and even some claiming to be radicals."

Senator Anthony, Rhode Island: "If women are fit to rule in monarchies it is difficult to say why they are not qualified to vote in a republic."

Harriet Beecher Stowe: "If the principle on which we founded our Government is true, that taxation must not be without representation, and if women hold property and are taxed, it follows that women should be represented in the state by their votes." * * * "I think the state can no more afford to dispense with the votes of women in its affairs than the family."

Hon. L. F. S. Foster, Connecticut: "If there can properly be taxation without representation, our American Revolution was an unjustifiable rebellion, and our Government is founded on fraud and falsehood." (Letter to John Hooker with regard to the right of tax-paying women to vote in Connecticut.)

Elizabeth Stuart Phelps: "If De Tocqueville was right in attributing the 'singular prosperity and growing strength of the American people mainly to the superiority of their women,' it is time that the commonwealth availed itself more directly of the reserve forces and sources of such superiority." * * * "I earnestly desire to see a more rational basis for the political future of our sex, which is as sure to develop as the dawn to follow the dark. I have never faltered for an hour either in this wish or this assurance."

George William Curtis: "Women have quite as much interest in good government as men, and I have never heard or read of any satisfactory reason for excluding them from the ballot-box. I have no more doubt of their ameliorating influence upon politics than I have of the influence they exert everywhere else."

Rev. S. J. May, Syracuse, N. Y.: "The true family is the type of the true state. It is the absence of the feminine from the conduct of the governments of the earth that makes them more or less savage. There are fathers of the state, but no mothers."

Rev. Henry Ward Beecher: "We need the participation of women in the ballot-

box. It is idle to fear that she will meet with disrespect or insult at the polls. Let her walk up firmly and modestly to deposit her vote, and all men will make way for her; and if any one ventures to molest her, the crowd will swallow him up as the whale swallowed Jonah."

Bishop Simpson: "I believe that the great vices in our large cities will never be conquered until the ballot is put into the hands of women."

Rev. James Freeman Clarke: "I do not think our politics will be what they ought till women are legislators and voters."

Rev. George W. Boardman, Philadelphia: "America's salvation lies under God in America's women. It is precisely because I desire to conserve our glorious past that I plant myself on the platform of woman suffrage."

Governor McCook, Colorado: "The logic of a progressive civilization leads to women suffrage as an inevitable result."

Senator Hoar, Massachusetts: "If there be anything in politics which would degrade women, it is time for that thing to come to an end. The thing we wish chiefly to change is government, and not woman. If there be anything in politics which would tend to degrade or stain the delicacy of the purest and best woman, it is something which ought not to exist, and which the presence of woman would tend to banish."

POLITICAL RIGHTS OF CITIZENS.

Chief Justice Taney: "The words 'people' of the United States and 'citizens' are synonymous terms, and mean the same thing; they both describe the political body, who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the Government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of these people and a constituent member of this sovereignty."

Chief Justice Jay: "At the Revolution the sovereignty devolved on the people, and they are truly the sovereigns of the country; but they are sovereigns without subjects (unless the African slaves may be so called), and have none to govern but themselves. The citizens of America are equal as fellow-citizens and joint tenants of the sovereignty."

Abraham Lincoln at Gettysburgh: "These died that the Government of the people, by the people, for the people, should not perish from the earth."

Webster's Dictionary: "A citizen is a person, native or naturalized, who has the privilege of voting for public officers, and who is qualified to fill offices in the gift of the people."

Bouvier's Law Dictionary: "A citizen is one who, under the Constitution and laws of the United States, has a right to vote for Representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people."

Worcester's Dictionary: "A citizen is an inhabitant of a republic who enjoys the rights of a citizen or freeman, and who has a right to vote for public officers as a citizen of the United States."

The Dutch Publicist, Thorbecke: "The right of citizenship is the right of voting in the government of the local, provincial, or national community of which one is a member. In this last sense the right of citizenship signifies a participation in the right of voting, in the general government, as member of the state."

Wheaton's International Law: "The possession of the *jus suffragii*, at least, if not also of the *jus honorum*, is the principle which governs at this day in defining citizenship in the countries deriving their jurisprudence from the civil law."

Aristotle: "A citizen is one who is a partner in the legislative and judicial power, and who shares in the honors of the state."

Justice Daniel (U. S. Supreme Court): "There is not, it is believed, to be found, in the theories of writers on government, or in any actual experiment heretofore tried, an exposition of the term citizen, which has not been understood as conferring the actual possession and enjoyment, or the perfect right of acquisition and enjoyment, of an entire equality of privileges, civil and political."

Thomas Paine: "The right of voting for representatives is the primary right by which other rights are protected. To take away this right is to reduce man to a state of slavery, for slavery consists in being subject to the will of another."

Justice McKay (supreme court of Georgia): "It is the settled and uniform sense of the word "citizen," when used in reference to the citizens of the separate States of the United States and to their rights as such citizens, that it describes a person entitled to every right, legal and political, enjoyed by any person in that State, unless there be some express exceptions made by positive law covering the particular persons whose rights are in question."

Judge Washington (U. S. circuit court): "The inquiry is, what are the privileges and immunities of citizens in the several States? They must all be comprehended under the following general heads." [Here follows a statement of numerous rights, civil and political, closing as follows:] "To which is to be added the elective franchise,

as regulated and established by the laws or constitution of the State in which it is exercised." (Corfield *v.* Coryell, 4 Wash. C. C. R., 380.)

Supreme court of Kentucky: "No one can, therefore, in the correct sense of the term be a citizen of a State who is not entitled, upon the terms prescribed by the institutions of the State, to all the rights and privileges conferred by these institutions upon the highest class of society."

Constitution of the United States, fourteenth amendment: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

REMARKS OF MRS. HOOKER.

[Before the Judiciary Committee of the House of Representatives, at Washington, in January, 1871, in reply to a suggestion of the committee as to the propriety of a greater restriction rather than enlargement of the right of suffrage.]

We are told by men themselves that there are too many voters already; restriction is what we want, not enlargement of the suffrage. Let us see how this is, my friends; let us reason together on this point for a few moments. The one great propelling power of this Government that moves the great political engine, and that keeps us alive as a nation on the face of the earth, is God's own doctrine of personal liberty and personal responsibility. That is all we have to go upon. It is, in fact, fuel and steam. Liberty is the steam, responsibility puts on the breaks, and then what is the safety-valve, I ask you? Is it not our election day? Look at it in this way. Every honest lawyer will tell you that the next best thing to settling a quarrel between two belligerents is to bring the parties into court, because the court-room is a great cooling-off place, a perfect refrigerator. A man who has quarreled with his neighbor comes into court, and before the lawyers get through with him he wishes he hadn't quarreled. How is it that our courts act in this way? What do we gain in this? Everything. In old times a dispute between man and man was settled by blows—fisticuffs—gradually superseded by the sword; and now we have thrown that out and established a system of jurisprudence. Now all these petty grievances must be settled in court. Private violence must no longer be permitted, and that is a great march in civilization.

Now the parallel case is this: We in this country—we men, I mean, for women are nobodies and nowhere when you come to the discussion of great questions like these—but I use the conventional we—"we" in this country are attempting to carry our ideas of liberty and responsibility into legislation; and we don't agree—we quarrel bitterly and almost come to blows again; but election days cool us off, acting like a court-room itself upon us. We accept their judgment, and go about our business quietly till next time. Now if we were all Americans, acting under an intelligent sense of responsibility, everything might be expected to run smoothly under this regime; but the trouble is when the foreigner comes in who does not understand our institutions, who is, perhaps, ignorant, debased, and superstitious. But the foreigner is, it seems to me, the very man who needs this safety-valve of the election day. We ourselves could run our own nationality; but here comes this man from the principalities and kingdoms of the old world,—and he has an idea that he is going to be richer, smarter, happier—more on an equality with every other man than ever he was before. He comes here, and what does he find? He finds a ladder, reaching higher into the clouds, perhaps, but the lower rounds are just as near the earth as over there, and he is on the lowest round still. He sees his next-door neighbor has more money than he has, is better educated, and commands the respect of the community, as he does not, and he is filled with disappointment, and sometimes with rage. What would he naturally do, with his old world antecedents and training, when he is thus aggrieved, as he conceives himself to be? Why, burn your barn—break into your house—steal all he can from you. But what does election day do for him? On that day he is as good as anybody. He goes to the polls side by side with the first man in the land, and he rides in a carriage there—if he is too drunk to walk—and he can vote the first man in the line if he chooses. The richest man in the country must walk behind him and wait for his turn. He drops his ballot and he is cooled off. He soon begins to get hold a little of this idea of responsibility that I am speaking of, and after a while it will come into his head—very slowly, perhaps, for we are all slow to learn these things—that he has got to work himself up and get on a par with these intelligent and influential people who are so powerful in making laws and customs.

Now, friends, it seems to me if you could disfranchise every foreigner to-day who is not intelligent, or if you could make intelligence the test of voting, you would have ten barns burned where you have one now. I believe it firmly. Being naturally conservative, as I think all women are, a few years ago I really thought that ten,

even twenty years' residence might be required of foreigners before they should be allowed to vote. I said they did not know enough, and so ought to be kept out as long as that. To-day, after years of careful observation, and of study of the question, I would not require a day more than the brief term fixed by our present statutes. If disfranchisement meant the annihilation of the trouble I might be glad to get rid of this troublesome question in that way; the task of running this country would then be a far easier one than it is; but it does not mean annihilation. So when gentlemen talk with me, and say we have too many voters already, I reply, do not disfranchise these men, enlighten them, for God has sent them here for a purpose of His own. And I say to you to-night, that the ballot in the hands of every man is the only thing that saves us from anarchy to-day, that keeps us alive as a republic, the ballot in the hands of these ignorant men, and the more ignorant they are the more they need it, and the more we need they should have it. And let me say in passing, that reconstruction in the South is hindered to-day for the same reason; responsibility is taken away from a large class of citizens. A disfranchised class is always a restless class; a class that, if it be not as a whole given up to deeds of violence, will at least wink at them, when committed by men either in or out of its own ranks. What the South needs to-day is ballots, not bullets.

I leave out of the question the ultimate educating power of the ballot, though I would like to make you an argument upon that alone. But I say give the poor men, ignorant men, the ballot, for purposes of self-defense, and because we could not live in safety in our homes otherwise. New York is poorly governed, we say, to-day, and getting to be a pretty dangerous place to live in. But what would it be if every foreigner and every ignorant man could not go out on election day and prove that he is as good as anybody? That is human nature, and it is human nature, and plenty of it, too, that we have to deal with.

And now, my friends, let me ask you, what are these men sent here for, and who sent them? We have got all Europe, and all Asia is coming; and who sends them? When God put into that good ship *Mayflower* those two great ribs of oak, personal liberty and personal responsibility, He knew the precious freight she was to bear, and all the hopes bound up in her, and He pledged himself by both the great eternities, the past and the future, that that ship should weather all storms and come safe to port with all she had on board. And what God has promised He will perform. So I beg of you not to think for a moment of limiting manhood suffrage. You cut your own throats the day you do it.

And if men can not live in this country in safe homes except their neighbor men are enfranchised, can they live without enfranchised women any more? If you can not live in safety with irresponsible men in your midst, how can you live with irresponsible women? Much more, how can you grow into the stature of perfect men in Christ Jesus, our Lord? How can you become perfect legislators, except your mothers are instructed on these great subjects you are called to legislate upon, that they may instruct you in their turn? You do not know anything so well as what your mothers have taught you; but they have not taught you political economy. It is not their fault that they have not, nor yours, perhaps. No man or woman studies a subject profoundly, except he or she is called upon to act upon it. What business man studies a business foreign to his own? What woman studies a business foreign to her own? In past ages this woman, in the providence of God, we will say, has been shut out from political action, for, so long as the sword ruled and man had to get his liberty by the sword, so long woman had all she could do to guard the home, for that was her part of the work—and she did it bravely and well, you will say. But now men are not fighting for their liberty with the gun by the door and the Indians outside. You are fighting for it in halls of legislation, with the spirit of truth, with spiritual weapons, and woman would be disloyal to her womanhood if she did not ask to share these heavy responsibilities with you. And she has really been training herself all these years she has seemed so indifferent; she has neglected her duty in part—I confess it freely. It is not your fault alone, gentlemen, that we are not with you to-day. If we had been as aware of our duty and privilege years ago as we are to-day, if we had known our birthright, we should have stood by your side, welcome coadjutors, long since. So we will take the blame of the past alike; we have all been walking very slowly this path of Christian civilization. But in the greatest conflict of modern times you announced great principles and fought for them on the field, and we stood by them in the home, and we stand by them still there. And when we come to deliberate with you in solemn council as to how these principles shall be carried into legislation, your task will be easier, our opportunity will be larger, and still our hearts will be where they have ever been, in our homes.

JUDGE HUNT AND THE RIGHT OF TRIAL BY JURY.

By JOHN HOOKER, Hartford, Conn.

In the recent trial of Susan B. Anthony for voting (illegally, as was claimed, on the ground that as a woman she had no right to vote—a point which we do not propose to consider, though we have a very positive opinion in favor of her right), the course of Judge Hunt, in taking the case from the jury and ordering a verdict of guilty to be entered up, was so remarkable, so contrary to all rules of law, and so subversive of the system of jury trials in criminal cases, that it should not be allowed to pass without an emphatic protest on the part of every public journal that values our liberties.

Let us, first of all, see precisely what were the facts. Miss Anthony was charged with having knowingly voted, without lawful right to vote, at the Congressional election in the Eighth ward of the city of Rochester, in the State of New York, in November, 1872. The act of Congress under which the prosecution was brought provides that, "If, at any election for Representative or Delegate in the Congress of the United States, any person shall knowingly personate and vote, or attempt to vote, in the name of any other person, whether living, dead, or fictitious, or vote more than once at the same election for any candidate for the same office, or vote at a place where the may not be lawfully entitled to vote, or vote without having a lawful right to vote, every such person shall be deemed guilty of a crime," etc.

The trial took place at Canandaigua, in the State of New York, in the circuit court of the United States, before Judge Hunt, of the Supreme Court of the United States.

The defendant pleaded not guilty—thus putting the Government upon the proof of their entire case, admitting, however, that she was a woman, but admitting nothing more.

The only evidence that she voted at all, and that, if at all, she voted for a Representative in Congress, offered on the part of the Government, was that she handed four bits of paper, folded in the form of ballots, to the inspectors, to be placed in the voting boxes. There was nothing on the outside of these papers to indicate what they were, and the contents were not known to the witnesses nor to the inspectors. There were six ballot-boxes and each elector had the right to cast six ballots.

This evidence would undoubtedly warrant the conclusion that Miss Anthony voted for a Congressional representative, the fact probably appearing, although the papers before the writer do not show it, that one of the supposed ballots was placed by her direction in the box for votes for members of Congress. The facts are thus minutely stated, not at all for the purpose of questioning their sufficiency, but to show how entirely it was a question of fact, and therefore a question for the jury.

Upon this evidence Judge Hunt directed the clerk to enter up a verdict of guilty. The counsel for the defendant interposed, but without effect, the judge closing the discussion by saying, "Take the verdict, Mr. Clerk." The clerk then said, "Gentlemen of the jury, hearken to your verdict, as the court has recorded it. You say you find the defendant guilty of the offense whereof she stands indicted, and so say you all." To this the jury made no response, and were immediately after dismissed.

It is stated in one of the public papers, by a person present at the trial, that immediately after the dismissal of the jury one of the jurors said to him that that was no his verdict, nor that of the rest, and that if he could have spoken he should have answered "Not guilty," and that the other jurors would have sustained him in it. The writer has no authority for this statement beyond the letter mentioned. The juror, of course, had a right, when the verdict was read by the clerk, to declare that it was not his verdict, but it is not strange, perhaps, that an ordinary juror, with no time to consider or consult with his fellows, and probably ignorant of his rights and in awe of the court, should have failed to assert himself at such a moment.

Probably the assumption by the judge that Miss Anthony in fact voted did her no real injustice, as it was a notorious fact that she did vote, and claimed the right to do so. But all this made it no less an usurpation for the judge to take the case from the jury, and order a verdict of guilty to be entered up without consulting them.

There was, however, a real injustice done her by the course of the judge, inasmuch as the mere fact of her voting, and voting unlawfully, was not enough for her conviction. It is a perfectly settled rule of law that there must exist an intention to do an illegal act to make an act a crime. It is of course not necessary that a person perpetrating a crime should have an actual knowledge of a certain law which forbids the act, but he must have a criminal intent. Thus, if one is charged with theft, and admits the taking of the property, which is clearly proved to have belonged to another, it is yet a good defense that he really believed that he had a right to take it, or that he took it by mistake. Just so in a case where, as sometimes occurs, the laws regulating t

right to vote in a State are of doubtful meaning, and a voter is uncertain whether he has a right to vote in one town or another, and, upon taking advice from good counsel, honestly makes up his mind that he has a right to vote in the town of A. In this belief he applies to the registrars of that town, who, upon the statement of the facts, are of the opinion that he has a right to vote there, and place his name upon the list, and on election day he votes there without objection. Now, if he should be prosecuted for illegal voting, it would not be enough that he acknowledged the fact of voting, and that the judge was of the opinion that his view of the law was wrong. There would remain another and most vital question in the case, and that is, did he intend to vote unlawfully?

Now, precisely the wrong that would be done to the voter in the case we are supposing, by the judge ordering a verdict of guilty to be entered up, was done by that course in Miss Anthony's case. She thoroughly believed that she had a right to vote. In addition to this she had consulted one of the ablest lawyers in western New York, who gave it as his opinion that she had a right to vote, and who testified on the trial that he had given her that advice. The act of Congress upon which the prosecution was founded uses the term "knowingly,"—"shall knowingly vote or attempt to vote in the name of any other person, or more than once at the same election for any candidate for the same office, or vote at a place where he may not be lawfully entitled to vote, or without having a lawful right to vote." Here most manifestly the term "knowingly" does not apply to the mere act of voting. It is hardly possible that a man should vote and not know the fact that he is voting. The statute will bear no possible construction but that which makes the term "knowingly" apply to the illegality of the act. Thus, "shall knowingly vote without having a lawful right to vote," can only mean, shall vote knowing that there is no lawful right to vote. This being so, there was manifestly a most vital question beyond that of the fact of voting, and of the conclusion of the judge that the voting was illegal, namely, did Miss Anthony vote knowing that she had no right to vote?

Now, many people will say that Miss Anthony ought to have known that she had no right to vote, and will perhaps regard it as an audacious attempt, for mere effect, to assert a right that she might think she ought to have, but could not really have believed that she had. But whatever degree of credit her claim to have acted honestly in the matter is entitled to, whether to much, or little, or none, it was entirely a question for the jury, and they alone could pass upon it. The judge had no right even to express an opinion on the subject to the jury, much less to instruct them upon it, and least of all to order a verdict of guilty without consulting them.

There seems to have been an impression, as the writer infers from various notices of the matter in the public papers, that the case had resolved itself into a pure question of law. Thus, a legal correspondent of one of our leading religious papers, in defending the course of Judge Hunt, says: "There was nothing before the court but a pure question of law. Miss Anthony violated the law of the State intentionally and deliberately, as she openly avowed, and when brought to trial her only defense was that the law was unconstitutional. Here was nothing whatever to go to the jury." And again he says: "In jury trials all questions of law are decided by the judge." This writer is referred to only as expressing what are supposed to be the views of many others.

To show, however, how entirely incorrect is this assumption of fact, I insert here the written points submitted by Miss Anthony's counsel to the court, for its instruction to the jury.

First.—That if the defendant, at the time of voting, believed that she had a right to vote, and voted in good faith in that belief, she is not guilty of the offense charged.

Second.—In determining the question whether she did or did not believe that she had a right to vote, the jury may take into consideration, as bearing upon that question, the advice which she received from the counsel to whom she applied.

Third.—That they may also take into consideration, as bearing upon the same question, the fact that the inspectors considered the question and came to the conclusion that she had a right to vote.

Fourth.—That the jury have a right to find a general verdict of guilty or not guilty, as they shall believe that she has or has not been guilty of the offense prescribed in the statute.

This certainly makes it clear that the question was not "a pure question of law," and that there was "something to go to the jury." And this would be so even if, as that writer erroneously supposes, Miss Anthony had openly avowed before the court that she voted.

But even if this point be wholly laid out of the case, and it had been conceded that Miss Anthony had knowingly violated the law, if she should be proved to have voted at all, so that the only questions before the court were, first, whether she had voted as charged, and secondly, whether the law forbade her voting; and if in this state of the case a hundred witnesses had been brought by the Government to testify that she had "openly avowed" in their presence that she had voted, so that practically the

question of her having voted was proved beyond all possible question, still the judge would have had no right to order a verdict of guilty. The proof that she voted would still be evidence, and mere evidence, and a judge has no power whatever to deal with evidence. He can deal only with the law in the case, and the jury alone can deal with the facts.

But we will go further than this. We will suppose that in New York, as in some of the States, a defendant in a criminal case is allowed to testify, and that Miss Anthony had gone upon the stand as a witness, and had stated distinctly and unequivocally that she did in fact vote as charged. We must not forget that, if this had actually occurred, she would at the same time have stated that she voted in the full belief that she had a right to vote, and that she was advised by eminent counsel that she had such a right; a state of the case which we have before referred to as presenting a vital question of fact for the jury, and which excludes the possibility of the case being legally dealt with by the judge alone; but this point we are laying out of the case in the view we are now taking of it. We will suppose that Miss Anthony not only testified that she voted in fact, but also that she had no belief that she had any right to vote; making a case where, if the court should hold as a matter of law that she had no right to vote, there would seem to be no possible verdict for the jury to bring in but that of "guilty."

Even in this case, which would seem to resolve itself as much as possible into a mere question of law, there is yet no power whatever on the part of the judge to order a verdict of guilty, but it rests entirely in the judgment and conscience of the jury what verdict they will bring in. They may act unwisely and unconscientiously, perhaps by mere favoritism, or a weak sympathy, or prejudice, or on any other indefensible ground; but yet they have entire power over the matter. It is for them finally to say what their verdict shall be, and the judge has no power beyond that of instruction upon the law involved in the case.

The proposition laid down by the writer before referred to, that "in jury trials all questions of law are decided by the judge," is not unqualifiedly true. It is so in civil causes, but in criminal causes it has been holden by many of our best courts that the jury are judges of the law as well as of the facts. Pages could be filled with authorities in support of this proposition. The courts do hold, however, that the judges are to instruct the jury as to the law, and that it is their duty to take the law as thus laid down. But it has never been held that if the jury assume the responsibility of holding a prisoner not guilty in the face of a charge from the judge that required a verdict of guilty, where the question was wholly one of law, they had not full power to do it.

The question is one ordinarily of little practical importance, but it here helps to make clear the very point we are discussing. Here the judge laid down the law, correctly we will suppose, certainly in terms that left the jury no doubt as to what he meant; and here, by all the authorities, the jury ought, as a matter of proper deference in one view or of absolute duty in the other, to have adopted the view of the law given them by the judge. But it was in either case the jury only who could apply the law to the case. The judge could instruct, but the jury only could apply the instruction. That is, the instruction of the judge, no matter how authoritative we may regard it, could find its way to the defendant only through the verdict of the jury.

It is only where the confession of facts is matter of record (that is, where the plea filed or recorded in the case admits them), that the judge can enter up a judgment without the finding of a jury. Thus, if the defendant pleads "guilty," there is no need of a jury finding him so. If, however, he pleads "not guilty," then no matter how overwhelming is the testimony against him on the trial, no matter if a hundred witnesses prove his admission of all the facts, the whole is not legally decisive like a plea of guilty; but the question still remains a question of fact, and the jury alone can determine what the verdict shall be. In other words, it is no less a question of fact for the reason that the evidence is all one way and overwhelming, or that the defendant has in his testimony admitted all the facts against himself.

The writer has intended this article for general rather than professional readers and has therefore not encumbered it with authorities; but he has stated only rules and principles that are well established and familiar to all persons practicing in our courts of law.

This case illustrates an important defect in the law with regard to the revision of verdicts and judgments in the United States circuit court. In almost all other courts an application for a new trial on the ground of erroneous rulings by the judge is made to a higher and independent tribunal. In this court, however, an application for a new trial is addressed to and decided by the same judge who tried the case and whose erroneous rulings are complained of. Such a motion was made and argued by Miss Anthony's counsel before Judge Hunt, who refused to grant a new trial. Thus it was Judge Hunt alone who was to decide whether Judge Hunt was wrong. It is manifest that the opportunity for securing justice even before the most honest of judges would

be somewhat less than before an entirely distinct tribunal, as the judge would be prejudiced in favor of his own opinion, and the best and most learned of judges are human and fallible; while if a judge is disposed to be unfair, it is perfectly easy for him to suppress all attempts of a party injured by his decision to set it aside.

The only remedy for a party thus wronged is by an appeal to the public. Such an appeal, as a friend of justice and of the law, without regard to Miss Anthony's case in any other aspect, the writer makes in this article. The public, thus the only appellate tribunal, should willingly listen to such a case and pass its own supreme and decisive judgment upon it.

The writer can not but regard Judge Hunt's course as not only irregular as a matter of law, but a very dangerous encroachment on the right of every person accused to be tried by a jury. It is by yielding to such encroachments that liberties are lost.

REMARKS BY MRS. VIRGINIA L. MINOR.

Miss ANTHONY. Mrs. Hooker has referred to the decision of Justice Hunt in the circuit court of the northern district of New York declaring that women are not entitled to exercise the right to vote under the fourteenth amendment. I now have the pleasure of introducing to you Mrs. Virginia L. Minor, of Missouri, whose case was carried up to the Supreme Court of the United States and a unanimous decision given against the powers of the fourteenth amendment to protect women on the ground that "the United States Constitution has no voters." Mrs. Minor will now address the committee. She will read a statement of woman's rights under the Constitution, as it is prepared by her husband, Mr. Francis Minor, who, it will be remembered, plead her case before the Supreme Court in 1875.

Mrs. MINOR. Gentlemen, in 1884 the chairman of your committee (Mr. Cockrell) declared "that suffrage belonged entirely to the States so long as no class of citizens were disfranchised." I hold that women are a class of citizens in the different States who are disfranchised. But I am happy to say the Senator must have changed his opinion on that subject, because I notice that he has voted in Congress to take away suffrage in one of the Territories. He has gone far beyond the Constitution in taking away suffrage from the women of the Territory of Utah.

In opposition to the Senator Mr. Madison, one of the framers of the Constitution, declared, and left it on record, that "should the people of any State by any means be deprived of the right of suffrage, they should appeal to the General Government." He also goes on to say that "to have left this question to the legislation of the States would have been impolitic." The wisdom of this prevision has been shown in regard to the suffrage given by the legislature of Washington Territory, where it has been taken away because of the plea that it was not secured on constitutional grounds.

Now, gentlemen, I wish to show you from this paper of Mr. Minor's that we think woman's right to vote is secured on constitutional grounds.

THE LAW OF FEDERAL SUFFRAGE

To the National Woman Suffrage Association:

You are again in session for the purpose of renewing your appeal to Congress to propose an amendment to the Constitution which shall forbid the denial of your right to vote on account of sex.

Twenty-one years have elapsed since you first made application for this purpose, and yet success seems as distant as ever.

For this reason some members of the association are considering the propriety of bringing the matter before the Supreme Court with the view of securing, if possible, a reversal of the decision in the case of Minor *vs.* Happersett, and I have been requested to state briefly the grounds upon which such an application must rest.

There is no impropriety or inconsistence in pursuing both methods at the same time.

It will be necessary to state a few general propositions.

Since the adoption of the fourteenth amendment "all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State in which they reside."

This amendment for the first time admitted the negro race to citizenship. Men and women of the white race had always been citizens or members of the national body-politic. In that section of the Constitution we are now to consider, the term used is the "people," but Chief-Justice Taney tells us that the words people and citizens are synonymous terms and mean the same thing. (Scott *vs.* Sandford, 19 Howard.) While our first Chief-Justice, John Jay, speaking of the equality of all persons in political rights, said "the citizens of America are equal as fellow-citizens and as joint tenants in the sovereignty." (2 Dallas, 472.)

An appeal to the Supreme Court, properly brought, would be based upon the ground that the right of suffrage is already established in the Federal Constitution, and is an essential privilege of all American citizens.

It is not conferred in terms upon any person or class of persons, but inheres in and attaches to a status or condition of being, which is expressed in the single word, citizenship.

Admittance to national citizenship, either by birth or naturalization, endues the person with the right of suffrage; its exercise is regulated by law.

Mr. Madison, one of the framers of the Constitution, said: "The definition of the right of suffrage is justly regarded as a fundamental article of republican government." It was incumbent on the convention therefore to define and establish this right in the Constitution." (Federalist, No 52.) The right was so established in section 2, of Article I, in these words:

"The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

This section consists of two clauses. The first relates to the right of suffrage, or the right to choose, vesting the right in "the people of the several States."

The second clause relates to the qualifications of the electors.

As every one knows, there is a wide distinction between right and qualification. A person may have the right to vote, and still not be what is termed a qualified elector for want of the necessary qualifications.

In this case the right is absolute and unconditional. No reference whatever is made to the sex or color of the elector. Citizenship or membership in the body-politic is the only requisite. Neither men, nor women, as such, are referred to. Together they constitute the people, and the people choose. This second clause is thus in entire accord with the preamble to the Constitution, which declares: "We, the people of the United States, * * * do ordain and establish this Constitution for the United States of America," retaining in their own control this most fundamental of all the rights of citizenship. The Constitution affords still further proof of the existence of this right. The fifteenth amendment, adopted eighty years subsequent to the original establishment of the right, declares that "the rights of citizens of the United States to vote shall not be denied or abridged by the United States or any State, on account of race, or color, or previous condition of servitude." Thus expressly, and in terms embracing all citizens, the right of suffrage is recognized as an existing right. The sixteenth amendment that you ask for is couched in the same language except that in place of race or color the word sex is used. Now it is clearly impossible to deny or abridge a right that does not exist; and if the right of suffrage is not an existing right, then the fifteenth amendment is an absurd abuse of language.

In construing this, and the other recent amendments, the Supreme Court adds its testimony to the fact of the existence of this right. It said, "the negro having, by the fourteenth amendment, been declared to be a citizen of the United States, is thus made a voter in every State of the Union." (Slaughter House cases, 16 Wallace.)

Congress also is committed to the same position. I have room only to give the title of the act. It is entitled "an act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes," approved May 31, 1870.

Thus, in the most solemn manner possible, the Constitution, the Supreme Court and the legislative branch of the Government are in accord in recognizing the right of citizens of the United States to vote as an existing right; a right established in the Federal Constitution, and derived from no other source. So much for the right next as to qualifications.

The Constitution does not lay down any general rule applicable to all the States nor undertake to prescribe qualifications for the Federal elector.

It was considered best to require him to conform to such as exist in the several States for State electors.

But this requirement by no means confers upon the States any power or authority over the right of the Federal elector; least of all does it authorize the States to defeat the right by imposing conditions with which the Federal elector can not comply.

Yet, in point of fact, they have unlawfully disfranchised one-half of the "people" by the use of the word male. For the purpose of contesting the matter, and of making demand for the right, a white woman citizen of the United States, holding that her citizenship ought to avail to place her at least upon the level of the negro, applied to the Supreme Court to protect her against disfranchisement, and was refused, the court declaring that "the United States has no voters of its own creation." (Minor *vs.* Happersett, 21 Wallace.) This decision is so manifestly in conflict with the Constitution, as well as with the court's own ruling just quoted, that it is likely if the matter were again presented, the court would recede from its last decision.

The first century of our national life under the Constitution is about to close. To women it has been a century of injustice, since no wrong can compare with that of disfranchisement, and while we are singing pæons in honor of the great instrument it is well to remember that women had a share in the work. At that date, women voted in New Jersey at all elections upon terms of equality with men.

They voted for members of the constitutional convention from that State. They voted for the ratification of the constitution when submitted. They voted for the first, second, and third Presidents of the United States. The fact that women voted in one of the States was well known to those who framed the Constitution, and we must construe the instrument as they left it.

As before said, neither men nor women as such are alluded to. The clause establishing suffrage is so worded as to exclude neither, but to include both. So that, whether you succeed through the courts or through Congress, it will be due to the fact of your citizenship.

For the purpose you have in view, that word is to you the most important word in the language.

In hoc signo vinces, you should place on your badges and adopt it as a motto.

FRANCIS MINOR.

SAINT LOUIS, *January,* 1889.

I wish to ask the gentlemen of this committee, who are now acting for us in Congress, to leave to their children an inheritance they will not have to blush for. We want you to show that your prevision has been sufficient to look down the vista of the future and see what must inevitably occur. Fifty years ago a member of the Senate declared that the very mention of the subject of emancipation would never be admitted in the Congress of the United States. It was a woman's prophetic voice that then replied: "You can build out the winds and hedge out the stars, but you can never keep this question out of Congress." (Applause.)

REMARKS BY MRS. ABIGAIL SCOTT DUNIWAY.

Miss ANTHONY. As the committee have listened to an argument in which the assertion was made that the Supreme Court has decided that the United States Government has no power over the question of suffrage, I should like to introduce to you a representative from the great Northwest, where suffrage has been given by territorial action, and where the judges appointed by the National Government have robbed the women of the Territory of their right to vote. Mrs. Abigail Scott Duniway, of Oregon, who had a large hand in gaining the suffrage bill in the Territory of Washington, and who, therefore, is quite able to present the facts in the case, will now address the committee.

Mrs. DUNIWAY. Gentlemen of the committee, I had thought to offer a little apology for the seeming temerity of my coming before you on such an occasion, presumably to instruct you in the law, but I am happy to state that the able paper read by our delegate from Missouri (Mrs. Minor) has made that apology unnecessary, and I shall proceed at once to give historic facts.

In the year 1883, amid the mingled acclaim of booming guns and ringing bells, it was announced to all our people that the legislative assembly of Washington Territory had passed a bill, and the governor had approved the act, enfranchising women. Everything went well with these newly-enfranchised citizens for a time, but a change in administration was followed by a change in our territorial judiciary, and the result was that means were soon discovered whereby a flaw or technicality in the construction of the law enabled them to pronounce it unconstitutional, the ground taken being that the purpose of the bill was not expressed in the title to the act. There were some thirty-five bills in the same condition. We appealed to our Senators from Oregon, one of whom (Mr. Dolph) I am proud to say, has been grandly re-elected for another six years' term in this great capital, who has been one of our most consistent champions from the beginning. These gentlemen acceded to our request, and a bill or resolution was passed through the Senate validating all those laws. When the bill came up in the House it was objected to by a gentleman from Virginia, I think, and because there was an objection under parliamentary rule the "omnibus bill" could not be passed unless the clause enfranchising women should be stricken out.

Realizing that we were blocked in this manner, and wishing to be law-abiding, however much the laws might oppress us, we went to work to secure the re-enactment of the law, working quietly, and, as we thought, modestly and judiciously, to secure the pledge from the incoming or next-convening legislature that they would re-enact the law. To the surprise of our opponents that legislature, which had been elected previously by the votes of women largely (of course we do not overlook the help and co-operation of the men), re-enacted the law, this time making no mistake about the title.

Again the universal sound of acclaim went forth throughout our borders, and everywhere we sounded pæans of praise to the chivalric and patriotic spirit that had moved the members of the legislature to again recognize our rights.

Time went on, and at the next general election one woman's vote, among the many whose votes were received, was refused. I allude to Nevada Bloomer, whose case is now upon the docket of the supreme court. Mrs. Bloomer brought suit for the recognition of her right to vote before the supreme court of the Territory, and the decision was adverse to her claim, the decision being made upon the ground that the Territories have no right to pass a law enfranchising their citizens, or, in other words, that the Territories have no jurisdiction over the qualifications of their own voters. Mrs. Minor has already explained to you the absurdities of this decision, and we come to-day strong in the hope that inasmuch as this case, being on the docket, will require years to reach it and woman's condition in the Territory calls for immediate action, that your honorable committee will at once take such measures as to recognize the wrong to which our sex has been subjected, and will, in the spirit of justice, rebuke this usurpation of the Territorial organic act of Congress, of which usurpation we are made the victims.

As our leader, Miss Anthony, informs me that I must not trespass beyond ten minutes, and as it is impossible for a woman to say very much in ten minutes, I gladly give way to others.

REMARKS BY MISS ALICE STONE BLACKWELL.

Miss ANTHONY. I now have the pleasure of introducing to you Miss Alice Stone Blackwell, of Boston, one of the editors of the Woman's Journal. All of you who know anything of the history of our movement know that she is the daughter of Lucy Stone, who was one of the originators, and has been for the whole forty years one of the leaders, of our movement,

Miss BLACKWELL. Gentlemen of the committee, I feel that I come before you a very inadequate representative of the Woman's Journal and the American Woman Suffrage Association; but at the same time I am glad of the opportunity which Miss Anthony's kindness has afforded me to say a word in behalf of the proposed constitutional amendment giving suffrage to women, because while what I can say may not be of much value in itself, it gives me an opportunity to show which side I am on in desiring suffrage to be granted to women.

In reading the various Congressional debates on the subject of woman suffrage, we find a number of different objections offered. Very little, however, is generally said as to what seems to most of us women who wish to vote the fundamental basis of our claim. The general argument for woman suffrage is the same as the argument for having a republican form of government rather than a monarchy. We say that it is fair and right that those who are required to obey the laws should have a voice in making them, and that those who are required to pay taxes should have a voice in deciding what shall be the amount of the tax and how the money raised by taxation shall be spent, and as we can not suit everybody, we take everybody's opinion and go according to the wish of the majority. That seems to be on the whole the fairest way, and that, roughly stated, is the principle of republican government. A vote is simply a written expression of opinion, which is written down and put into a box so that it may be counted.

In thus taking the sense of the community there are certain classes of persons who are always passed over, because their opinions, for one reason and another, are not considered worth counting. The laws of the different States differ, but all are agreed in excluding children, idiots, lunatics, felons, and women. There are good and obvious reasons for making all these exceptions but the last. Of course it is self evident that the opinions of children ought not to be counted, nor those of idiots, lunatics, and criminals. Is there any reason at all why, in reckoning up the opinions of the community, no account shall be taken of the opinions of women?

Let us try a few of the objections that are usually offered and see whether they are sound. One point that is often brought up in the objections to woman suffrage in Congressional debates is that women do not need to vote, because they are virtually represented already by their husbands, fathers, brothers, etc.

The first difficulty with the doctrine of virtual representation is that it is not according to numbers. I knew a man once who had a wife, a widowed mother, five unmarried sisters, and five unmarried daughters. According to this doctrine of virtual representation his vote represented himself and all those women, and it counted one, while the vote of his bachelor neighbor next door, without a female relative in the world, counted one, just the same. Thus there is an inequality even when all the women of the family think just as their male relatives do. Of course sometimes even in the most united family this can not be the

case. How is a man to represent his wife and daughters if they do not all think alike, or if they do not all think as he does? In my own State there is one Senator who has two daughters. One of them is a woman suffragist. The other is very much opposed to woman suffrage, so much so that she burns the Woman's Journal when it comes into the house before her father can get hold of it. How is that gentleman to represent the opinions of his two daughters on that subject? Sometimes a man has a widowed mother, a wife, and a daughter. One of them may be a Republican, another a Prohibitionist, another a Democrat. How can he represent those three women by one vote unless he could be, like Cerebus, three gentlemen at once.

Then, again, even in the cases where a man tries honestly and does his best to represent his woman-kind, this principle of virtual representation is still imperfect. I read the other day of a man who undertook honestly and did his very best to represent his women. He was a member of the Greenback party. He had three daughters who were all Republicans, and neither he nor his daughters believed in woman suffrage. The whole family held that the women of a family ought to be represented by the male members of it. When the election approached those three daughters all sought their father and represented to him how very wrong it would be in him, when three members of the family were Republicans, to cast the only vote of that family for the Greenback party. They said, "You are our representative; you always said so, and we believe it. We are Republicans, and we want you to vote to represent us." The father saw the point, and actually did it. Though himself a Greenbacker, he went and voted the Republican ticket in order to represent his daughters. That is the best that can be done under that system. But do you not see that even that way was not fair? The Greenback candidate was entitled to one vote out of that family, and he did not get it. The Republican candidate was entitled to three votes, and he only got one.

So I think we are justified in saying, with James Otis in the old revolutionary times, that there is really no such thing as virtual representation; that it is really a delusion and a snare. The only sense in which it is true is this: I have no doubt that men in general mean well by women, feel friendly to them, and mean to make such laws for them as they consider for their good. It is equally true that women in general feel friendly towards men, and we find women as well fitted to make laws for the men. I have no doubt there are many such women, but I think it is very doubtful whether you would be satisfied with the results of our efforts in that line, and I am sure that none of you would like to occupy such a position.

Then it is often said of women that they will be contaminated and degraded by the ballot. Men use this argument who themselves would take a musket on their shoulders and fight to the death if it was proposed to deprive them of their right of suffrage. They think that the right for them is invaluable, but when anything is said about letting women vote they draw such a picture of the hardships, horrors, and contamination in the filthy pool of politics, all of which they say is involved in suffrage, that you would think it was the greatest kindness in the world on their part to refuse to let women have a share in the ballot.

There is a story told of a boy whose little sister found an apple and began to eat it. The boy rushed up to her and with horror and consternation told her the apple was green; that if she ate it she certainly would have the cholera. The child threw the apple down, when her brother immediately picked it up and began to eat it. The little girl

looked at him surprised for a few moments and said, "Will it not give you the cholera, too?" "Oh, no," said he, "boys don't have cholera." [Laughter.]

If the exercise of the right of suffrage is really contaminating we ought to establish a monarchy instead of a republic. We ought to restrict the right of suffrage as much as possible and spare it to men as well as women.

It seems to me self-evident that the right of suffrage is degrading or not according to the spirit in which you exercise it. It must be degrading to anybody to whom it is simply a selfish scramble for office, but I think it can hardly be otherwise than ennobling to any one to take an intelligent interest in the affairs of the country, and cast an honest vote for the best men and the best measures.

Then it is said that the bad women will vote, and the argument is put in such a shape that you would think the bad women formed a majority instead of being a very small minority of the feminine population.

Then it is said that women must not vote because they are too good to vote. The very same people who have been saying so much about bad women will turn and say, "Women must not vote because they are angels." All we can say in regard to that is, if women are angels it is very unreasonable to be afraid of the effects of their voting, for the effect could hardly be otherwise than good. There was once a little boy afraid to go to bed in the dark. His mother told him not to be afraid, because the angels would watch over him. But he said, "It is the angels themselves I am afraid of." [Laughter.] The people who are so much afraid of woman's vote because women are angels, are just in the unreasonable position of the little boy. On the other hand, if women are only ordinary human beings, why should they not have ordinary human rights?

Then it is said that if women vote they must hold office. A very intelligent Democratic lawyer told me once the only objection in his mind. He said, "I can see perfectly well that all the objections generally made to woman suffrage are entirely illogical when carried to their logical conclusions, but suppose the mother of a young family is elected to Congress, what is to become of the children?" He had before his eyes a dreadful vision of half the homes of the country left desolate because the mothers had been sent to Congress. It did not occur to him that not one person in a thousand can go to Congress anyway, and that nobody is obliged to go against his will. The mother of a young family would not be likely to ask to go to Congress, and if she did ask she would not likely be sent. Yet for all that, she might have a very definite opinion as to what sort of a man she wanted to send to make laws for her and her children, and is there any reason why her opinion should not be counted on this subject along with her husband's, father's, and brother's.

In this matter of bad women there is one point that I think should be brought out, and that is, the argument from experience in this thing. You can not tell anything about it until you have tried it. You can see that there is no reason to expect that bad women would vote more generally than good ones, and in this matter an ounce of experiment is worth a pound of theory. Mrs. Duniway has told you something about the experience in Washington Territory; Mrs. Johns will tell you about the experience in Kansas. Then we have to bring in fourteen States where women have the right, more or less restricted, to vote on school questions. In every one of those States women exercise the right.

The complaint in Massachusetts for a long time was that only the best women voted. At our last school election in Boston we had, I think, very evident proof that whenever women are allowed to vote on a question which reaches out to general public opinion, and on which there is reason to vote, they will vote.

There was a controversy that arose in regard to the use of text-books in the schools. Indeed, there was a very general impression that the text-books had been tampered with in the interest of the Roman Catholic Church, and that the facts of history were not fairly presented. I think myself there was something to be said on both sides of the question, but many felt that the schools were in danger, and 21,000 women registered to vote, paying a voluntary tax in order to do so, and going through a very troublesome process to get registered. When voting-day came a northeast storm was raging, and when a northeast storm rages in Boston it is something formidable. But for all that, 18,000 or 19,000 of those women came out to the polls. They not only came themselves but they brought with them many husbands and brothers who were not in the habit of voting. So the control of the city government of Boston was taken out of the hands of the Democratic administration, which had held it for many years, and was given over to the Republicans. Both parties agreed that it was owing to the votes of the women that this happened.

I see that my time is out, and I shall not detain you. There are many more things that could be said in favor of woman suffrage. It is told of Mr. Lincoln that during the very busiest period of his administration a man came to him to protest against an appointment he had made of some one as postmaster. This man was a great bore, and talked on and on. Mr. Lincoln was too polite to send him away, but waited while this man enumerated every possible reason he could think of why the person was unfit for postmaster. Finally, to bring his argument to a climax, he said: "Mr. Lincoln, the man you have appointed has no more sense than an oyster." "Well," said Mr. Lincoln, "an oyster is a very stupid creature, but it does know some things worth knowing; it does know how to shut up." [Laughter.] I will try to show, gentlemen, that a woman does know sometimes how to shut up.

Senator BLAIR. Will you not state, if you know, the registration of women in Boston on the occasion you speak of?

Miss BLACKWELL. The registration of women was 21,000 and some odd.

Senator BLAIR. The vote was how many?

Miss BLACKWELL. The vote is not exactly known. The only way they can get the vote is by taking the highest number of votes cast for mayor by the men and the highest number of votes cast for any member of the school committee. One man's name was on all the tickets of the school committee. It was a curious fact that in this controversy which turned on this question, the one man whose name was on all the tickets was a Jew. They could agree upon him, and there were so many votes cast for him as to show that at least about 17,000 women had voted. A great many women had scratched the name of this Jew from the tickets. He was not only a Jew, but a freethinker, and he had used language which was distasteful to many women of the orthodox churches. He had spoken of Jesus Christ as an amiable young enthusiast, and had very much shocked the women who belonged to the orthodox churches. So his name was largely scratched, and there is no way of getting at the exact number of women who voted. It was about 17,000, plus the women who scratched this gentleman's name.

Senator BLAIR. Do you know what the percentage of the vote as compared with the registration was, and how that compared with the voting of the men?

Miss BLACKWELL. I can not tell you exactly, but it is very generally claimed, in the absence of any definite statistics, that the women voted much more generally in proportion to the registration than the men. The Boston Transcript published a long list of various wards, in which only one, two, or three women out of several hundred had failed to vote, and oftentimes a very good reason was given for her absence; something which made it impossible for her to vote. Mrs. Shattuck also has studied this question.

Mrs. SHATTUCK. I think it was 80 per cent. of the women who were registered, and therefore fully qualified, who voted. That is the statement I saw, and I suppose it was authoritative.

Senator BLAIR. I had seen that statement—I did not know whether it was questioned—and 80 per cent. was said to be a larger per cent. than of the men who voted.

Miss HATCH, of Boston. The registration of women in Boston was 20,416.

REMARKS BY MRS. LAURA M. JOHNS.

Miss ANTHONY. Mrs. Johns is the next speaker I had proposed to present, if the committee is through asking questions of Miss Blackwell. The Boston election has settled two points for us, at least. First, that women will vote if they have a chance; and second, that they will vote just the way they want to when they do vote—two very good points, you see. I now introduce to you Mrs. Laura M. Johns, of Kansas, where, as the committee know, women have for the past two years enjoyed the right to vote in all the cities of the State—two hundred and eighty-three in number.

Mrs. JOHNS. Gentlemen of the committee, I suppose the reason why our general orders me up here to speak, though the weakest member of her staff, is because I can testify to you of some things whereof I know in a State where woman suffrage is on trial. The usefulness of woman suffrage in Kansas is gauged in the minds of people outside of our State mainly by representations of newspapers. It appears that certain people know a great many things which are not quite so, and have reported a number of things that are far from true, and very erroneous impressions are made upon many minds; so when Kansas people go abroad or when they read papers outside of their State they learn a great many very novel and remarkable things about the workings of woman suffrage in Kansas—things that are remarkable chiefly for the conspicuous absence of truth—and we have found ourselves quite helpless in getting our statements of facts or corrections put before the readers of the falsehoods.

A favorite romance of the newspapers has been that we had very disreputable scenes at our polling places, in consequence of the presence of women there, and that we were obliged to come in contact with incidents and people extremely damaging and disagreeable. The truth of the matter simply is, that women met with nothing exceedingly dreadful at our polling places, and good sensible people would be very likely to suppose that such was the case. We met with nothing to molest us or make us afraid. Nobody was monstrously unmannerly.

The first effect of the passage of the woman suffrage law, in consequence of the prospective presence of women at the polls, was the enact-

ment of our fifty-foot law. The enactment of this law was the direct consequence of the woman suffrage law. This fifty-foot law provides that nobody, except those just about to cast a vote, shall stand within 50 feet of the polls. Those who wish to deny as much as possible to the claims of woman suffrage, say that the good order we had in those elections is due entirely to the operation of this law; which we deny. But let them say so. The fifty-foot law owes its existence to the passage of the woman suffrage law, and therefore the good order at our polling places was due to woman suffrage.

The next effect was visible in the moving of our polling-places into more decent quarters. "The women are coming," said the authorities, "and we must have fit places for them."

The next consequence was the appointment of many women as judges and clerks of elections. The presence of these women made profanity and disorder very unlikely, and I am glad to tell you that the women did this work quite as well as the men, and you will be glad to know that they received exactly the same wages that the men received—a circumstance that does not happen always, even in this progressive day and age. Thus woman's suffrage even at the very inception ushers in the dawn of a day of equal wages for equal work.

It was stated by the newspapers (and I have found people who are quite ready to believe it) that bad women voted in our elections. The fact is that we met with no more of these women, came no more in contact with them, saw no more of them, were no more annoyed by their presence at the polling-places than we are in cars, streets, and stores. They simply voted and went swiftly away. In fact we saw not many of this class of women at the polls. We saw not so many bad women there as we saw bad men; and indeed how should we, since there are not so many of the former, as the records of crime show. We certainly saw many men there who were not well prepared to cast the first stone; but, as in the time of Christ, that was the class of men who made the complaint. I think if it had not been for the noise they made about it and their giving the matter to the newspapers, many of us would have been unaware of the presence of bad women at our polling-places. And why have not bad women just as good right to vote as bad men? How much more harm will a bad woman's vote do to this Government than a bad man's vote?

But that class of women are caring nothing about this movement. They do not vote unless they are brought out by their male supporters. In our first election it was the object of the opposition to make the magdalens prominent at our polling-places in order to bring discredit upon the movement, but such swift opprobrium fell upon the men and upon the side undertaking to do this thing, that in the second election little of such effort was made, and as a consequence, a very much smaller number of this class of women voted.

Another favorite fiction of the newspapers was, that the enfranchisement of the women of Kansas simply added to the number of voters, without making any material difference in the results; that we all voted just like our husbands. The truth of it is that we voted no oftener like our husbands did than our husbands voted like we did, and we voted no oftener the way our husbands did than sons voted like their fathers did. The fact that sons vote like their fathers do, quite generally, never seems to have occurred to anybody as a good and sufficient reason for disfranchising the sons, even while the fathers were living to represent them, which they cou'd more adequately do than represent their daughters and wives.

Senator BLAIR. How about the quarrels which resulted at home?

Mrs. JOHNS. I wish to say that the tide of domestic happiness flows on in Kansas as softly and smoothly as it did before the women voted. If you were to travel all over the State I think you would not suppose from domestic infelicities that the women had ever voted in our State. I know of no cases of family quarrel arising from the wife voting differently from the way in which her husband voted, and I know personally and from report of hundreds of instances in which wives, especially upon the question of the moral life of the candidate, or when the question of the enforcement of the prohibitory law was up, voted a ticket directly opposite to that which their husbands voted. I know of only one case in which there was any difficulty resulting therefrom, and that was the case of a man who believed that he owned his wife, that he owned all her opinions, all her property, that she was entirely his possession; and as he was disabused of that idea by the fine which was imposed upon him for his conduct, I think probably he has changed his mind.

Senator BLAIR. In these cases of disagreement in the matter of prohibition which way did the wife vote, as a rule?

Mrs. JOHNS. The wife, as a rule, voted for the officers who she believed would enforce the prohibitory law.

Senator PALMER. What proportion of the women do you suppose voted for prohibition?

Mrs. JOHNS. I am not prepared to state the percentage, but I believe that not only a majority, but the larger part of the body of women electors always voted that way.

Senator BLAIR. How many voted?

Mrs. JOHNS. Very nearly 30,000 women voted at the one regular election we have had.

Miss ANTHONY. Sixty-six thousand men at that time voted and 30,000 women.

Mrs. JOHNS. Our women voted with a great deal of independence—more than was expected. It must be remembered that the men of Kansas are largely in the majority. All these facts must be taken into account when the women's vote is counted up. It must be remembered also that the only regular election in which we have taken part came very soon after the passage of the law, too soon for fair registration. I do not think anybody could say that the women of Kansas had half a chance to register.

Senator BLAIR. When will the next election occur?

Mrs. JOHNS. It will occur next April. The time was too short for registration. Many of our city clerks kept the books open some time after the date designated by law, in order that the women might have a better chance, but in other cities the already too short time was made shorter by the refusal of the clerks to keep open the books.

Senator BLAIR. What seems to be the prospect of registration for the coming election? Will it be larger in proportion or smaller?

Mrs. JOHNS. The registration has already begun. It began very soon after the books were opened the first of January. The prospect is that the registration will be larger than it was in either the first or the second year.

In the first regular election, two-thirds of our women of voting age registered, and about half of them went to the polls. Of those who were registered and did not go to the polls there were many who refused to go because neither of the candidates were men whom they could conscientiously support; others simply did not go because of the

two candidates, it made very little difference which one was elected; and others did not go because there was only one candidate.

Senator BLAIR. Have the women begun to take part in caucuses?

Mrs. JOHNS. They have.

Senator BLAIR. Do they take part in primary meetings?

Mr. JOHNS. They have quite largely, and more so in the second election than in the first.

Senator BLAIR. They are admitted, and no objection is made to their presence?

Mrs. JOHNS. They are sometimes admitted, and sometimes caucuses are held so secretly that we do not find it out. But women go to caucuses whereever admitted. They had to learn, after the first election, that it was necessary for them to go into caucuses. They had an idea in the first election that it would be a proper, modest, and womanly thing to stay out of the caucuses. Experience taught them before the second election that it would be necessary, in order to bring about the success which they desired, for them to go into the caucuses. I think they will go into the caucuses this coming year more largely than they did last year.

Senator BLAIR. They will find out that the government of the country is in the caucuses and not in Congress.

Mrs. JOHNS. I think most of our women were very much surprised to find that the matter of the nomination of officers was done before people got into caucus, very frequently.

Senator BLAIR. That is a great lesson to learn in politics.

Mrs. JOHNS. The fact that we had such a short time for registration and such a short time for the preparation and instruction of our colored and foreign population in that one regular election should be taken into consideration when we size up the women's vote in Kansas. We had no time to prepare them.

As to the charge that the women's vote fell off in the second election, I assert that it did not fall off, except in those cities in which the election was of lesser importance, and that it did not fall off in as large a proportion as the male vote did. The second election was in an off year and we had nothing but ward elections. However, when there was any issue, when it was a question of the enforcement of the prohibitory law, or of schools, or any other matter of interest to the cities, the women came out in those wards in force, and they voted in larger numbers than they did the first year.

For example, in the city of Leavenworth the temperance men had failed for years to oust an obnoxious councilman—a man who had given his strength to the anti-enforcement of the prohibitory law element. In the first election the women even had failed to rout him, but they were ready in the second election. They called a meeting of the women who cared the most for the best interests of the city and appointed some committees, did pretty effective but very quiet work, so as not to draw the fire of the enemy, and when election day came the councilman found himself counted out, greatly to the dismay and amazement of his followers, and the whisky and temperance men are agreed that the women did it.

As to the matter of election to office, the women in our State have not rushed into office to the extent of destroying all home joys, the abolishment of womanhood, or of depleting the State of young people. Our honored senior Senator (Mr. Ingalls) was right when he said we could not abrogate the statutes of the Almighty by law. Indeed, in justice to us, it ought to be mentioned that we have not tried to do that; but

our young men are going on after the old fashion, making love to the young women, and those of us who can just remember how it used to be in the old days before women voted fail to see any difference in the process. The performances are falling quite as far short of the promises as they used to be, but still the woman is going on implicitly believing the same lovely old story and giving herself in marriage with the same comparative confidence that everything not quite sure will be sure to come to her.

Our statistics show that the marriage licenses in the last two years are increasing and that divorce is decreasing, which goes to show that marriage is not a failure in Kansas, even though women do vote and hold office.

We have elected to the school offices more than half a hundred women, and not to the detriment of the home but to its great advantage, because these women expend more time, more energy, more thought, on the matters which involve the physical and moral growth of our children, as well as their intellectual growth, and so well have they served, and so profitably, that we expect to double this number in the coming election.

The suffrage organization in Kansas has never made any effort to put women into municipal offices, but it does make an effort to put women into school offices. As to municipal offices, however, women have very little ambition to fill these. They are not at all particular about getting into these offices themselves, but they are very particular about who does get into them. Of about a dozen women, who have been elected to city offices in four cities of the State (and all these have been mayors), no complaint has been made. They have served acceptably. The city of Oscaloosa last year elected an entire woman government. It was done for both the temporal and moral welfare of the city, and I am glad to state that these women have filled the purpose of their election in meeting and overcoming the difficulties, which were not few nor small, and they have proved the fact that their government does not lack the element of strength.

I went to Oscaloosa to see these city officers, and to find out how they came to be elected, and how the experiment was working. I found that the women themselves, the worthy mayor and her councilwomen, were very womanly women, very mild, gentle-mannered, strong, capable; that they knew exactly what they wanted to do, and they knew how to do it and succeed in doing it. I got my information as to how the experiment was working from men to whom I was an utter stranger, and who were not at all influenced by any leanings of mine in giving their testimony, and so I think it was unprejudiced. They said that the administration of these women was really satisfactory to the better element, but that it was extremely objectionable to people who wanted to violate the Sunday law, as had been done in that city before these women went into office, to those who wanted to plead that a prohibitory law does not prohibit, and to old fogies who could not see any use in spending money to make streets and attending to matters of sanitation.

However, there is no general movement in my State at all towards Oscaloosaing our city governments. I do not suppose any women will be elected mayors this year unless it is in Oscaloosa, in order that the women may carry out the work which they have begun there.

Senator PALMER. I understood you to say that only 30,000 women voted and that 60,000 men voted.

Mrs. JOHNS. Yes, sir.

Senator PALMER. That can not be the whole vote of Kansas.

Mrs. JOHNS. It was just in the cities. I wish to add that in our third-class cities, in which the elections are regular and of equal importance every year, in the second election the woman's vote gained largely over the first year. I know many cities in which the vote was two, three, and four, and in one city forty times as much as it was the first year. The sum total of the woman's vote in the third-class cities the second year is very much larger than the sum total of the woman's vote in those same cities the first year.

REMARKS OF REV. OLYMPIA BROWN.

Miss ANTHONY. The next speaker that I present to the committee is Rev. Olympia Brown, of Wisconsin, who will say a much-needed word.

Mrs. BROWN. Gentlemen of the committee, I come neither from Massachusetts, where women have voted for the school committee, nor yet from the great West, where they vote at the municipal elections, and hence I can bring you no testimony drawn from experience of the effects of the voting of women. I can only give some principles which are familiar and support them by undeniable and pertinent facts.

It has been often said that it is always safe to do right. It is equally true that it is always unsafe to do wrong.

It is impossible that such a great wrong as the disfranchisement of women should have been done in this country for so many years without working very serious evils; and if we can believe the testimony of public men, political campaign speakers, and the daily newspapers, it must be evident that we have come very far short of perfection in the matter of government in the United States—indeed, it would seem that we are upon the very verge of national ruin.

Senator Blair has said that the caucus, and not the Congress, governs the country, and the question in the caucus is always, How shall we secure the foreign vote? What candidate will be most pleasing to the Germans? Whom can we put up that will satisfy the Scandinavians? These are the questions with politicians.

Even a great moral-reform party in my own State, a party professedly standing for principle and against the "policy of the old parties," dares not to avow its allegiance to woman's suffrage lest it should offend the Scandinavians.

When great reformers, progressive men, like John M. Olin and Z. C. Richmond, of Wisconsin, are obliged to crucify conscience to please Scandinavians, I inquire where is the liberty of American men? When every party finds it necessary first of all to please the foreigners, no matter at what cost, it is quite evident that the foreign vote governs the country.

In the great cities of the Northwest our city officials, our mayors, members of the common council, and even our school boards, are, to a large extent, foreigners, not the mostl earned or the most nobly born of the European nations, but often men of limited education, bigoted in religion, and ignorant of the first principles of republicanism.

Our forefathers fought out the war of the Revolution and baptized the earth in the blood of heroes only that we might be governed by the tramps, paupers, convicts, the refuse of the Old World, that have been thrown upon our shores.

Women have through all the years of our national life been loyal, brave, and true.

They have by their patience and fidelity, their earnest endeavor, and their unflinching courage, helped to create this grand civilization of the West; they have done their share in redeeming this land from the wilderness; they have been an important factor in founding homes, building cities, establishing manifold industries, and winning victories, both of peace and war; and yet intelligent, patriotic, tax-paying, native-born women are made the political subjects of foreign paupers, and when they ask for the right of suffrage, which has been declared to be the inalienable right of every citizen, they are told that the mere mention of the subject must be prohibited because it might displease the Scandinavians.

But it is not women alone who are the sufferers. American men, by the disfranchisement of women, are being made themselves the subjects of foreign rule. We require an American to live here twenty-one years and learn the nature of our institutions, the history of the country, and the policy of the Government before he votes. But foreigners may vote in Wisconsin before they have become citizens, learned anything of our Government, or rendered any service to the State. We give them twice as many votes in proportion to their population as we give to our own people. Their population is largely male. It is easier for men to emigrate than it is for women. They have more temptations to do so. They wish to escape serving in the army; and often they flee from the officers of the law, or from their creditors, and the result is that there are at least two millions more foreign men than foreign women in the country. While on the other hand, owing to the effects of the war and of accidents, there are a million more American women than there are American men.

To illustrate the effect of this let us look at the population of Wisconsin. By the census of 1880 there were in Wisconsin 910,072 native born, and 405,425 foreign; but although the foreign population was not quite half as numerous as the native, yet they were allowed over 40,000 more votes, the voting population standing, native, 149,463; foreign, 189,469. Minnesota presents a similar discrepancy, as there the population stands, native, 513,097, foreign, 267,676. But the vote was, in 1880, native, 88,622; foreign, 123,777. Thus, with only about half the population, the foreigners have over 35,000 more votes. In New Jersey the native population is more than four times as great as the foreign, but the vote stands, native, 100,656; foreign, 99,300. I might go on through all the States showing how we pay a premium upon foreign birth and ignorance, but I will not weary you with figures. I have given you enough to show that the enfranchisement of women is only needed to outvote the foreign population and make secure American institutions and republican principles. And surely the need of woman's vote is most pressing. When the red flag is hoisted in our great cities, when riots and mobs are feared on every occasion; when the gulf between capital and labor is growing daily wider and wider; when our free schools are being closed in some parts of the land; when history is tampered with; when anarchy threatens on the one hand, and on the other Catholic influence bids fair to take from us all the inheritance of liberty that we have received from our fathers, is it not time to ask seriously what can be done?

This is not merely a question of the rights of women, but of the very life of this Republic. Shall we have a republic? Shall we have a free government? Shall the American man have standing room on American soil? These are the questions which are pressing upon us.

In a recent address to the veterans in Indianapolis the President-elect recognized the dangers which threaten our institutions and the perpetuity of our Government; and he attributed them to the suppression of the ballot, saying very justly, "The suppression of the ballot under any circumstances is an evil that can not be tolerated." "We need for the salvation and permanency of this Government a free ballot and a fair count in all the States of the Union." And what he most desired, he said, was "to hear a bugle-call for an equal ballot sounding throughout the land."

I can not believe that such a man as Mr. Harrison uttered such words without knowing what he said, or without meaning what he said. And this is not merely his own utterance. It is the utterance of the whole Republican party, as again and again sounded through the land. This call for a fair ballot and a fair count, and the right of every citizen in every State to cast a ballot and have it honestly counted, is conspicuous in the party platforms. It is enunciated everywhere by its speakers, who again and again reiterate that the "Republican party is pledged to secure for every citizen in every State the right to cast a ballot and have it honestly counted." Have we not reason to expect that the Republican party will, in the coming four years, carry out those pledges and fulfill its grand mission, thus saving the nation from destruction and securing to the manhood of America a fair opportunity to live and maintain the right of conscience and free speech on American soil? May we not also believe it will, at the same time, do justice to the women of the country by passing a sixteenth amendment for their enfranchisement?

REMARKS BY REV. ANNIE SHAW.

Miss ANTHONY. Gentlemen of the committee, I now introduce to you one who is not a lawyer, one who is not a member of Congress, one who is not an M. D., but one who has the title of Reverend. I think it will do this honorable committee a great deal of good to listen to the Rev. Annie Shaw, of Illinois. So I shall introduce her as the next speaker. I do not know exactly what she is going to say, but I know she will speak in favor of the sixteenth amendment and woman suffrage, and that is all we are after.

Miss SHAW. Mr. Chairman, and gentlemen of the committee, I suppose Miss Anthony has introduced me that I may vouch for the orthodoxy of the body that has been gathered together here. We are orthodox on the woman suffrage question, and although they do not all agree with me on matters of faith in religion, they do agree with me on matters of faith in government.

We have no apology to offer for being here. We have come to the conclusion that if women are to be free they must strike the blow. We have long enough waited for our chivalric brothers to do it for us. They decline, preferring to bear our burden of the ballot, while they also decline to bear our burden of the responsibility of life. Since we must bear the responsibility of the ballot without having the pleasure of bearing the ballot that we may govern the responsibility, we should like to govern the responsibility we have to bear. Yet while those of us who in the different parts of the country have had no experience like Mrs. Johns of Kansas, and no experience like the women of Massachusetts, and no facts from experience to offer, we do not come before you without a desire to offer them.

I wish to plead to-day not for myself alone, but especially for the

women of the Territories. There is a great deal of talk before the country now about the injustice of the exclusion of the Territories from statehood, and there are great hopes on the part of many people that several of the Territories will soon be admitted as States. I wish to plead in behalf of the women of those Territories that when they are admitted the word "male" may be left out of the constitution and the Territories admitted into the Union as States only on the ground that all the people in the Territories are free, and that the State shall come in in the way in which we all ought to have come in in the beginning, without any restriction on the ballot so far as the sexes of the citizens of the State or the Territory are concerned.

I therefore wish to put in a word this morning for the women of the Territories. While you are realizing, as so many of our brethren seem to realize, the terrible burden of disfranchisement on the part of the men of those Territories, I trust that you will also feel a pang of suffering on account of the condition of disfranchisement on the part of the women, and while you are speaking for the men that you will speak and work for the women also.

We women have wept a great while. We have wept because we have been told it is proper for women to weep. We thought that would bring us justice; but justice does not come to weeping women. The only thing it has brought us is the thought that we have no place in the Government because we weep. We have tried to be pleasant, because we have been told it is becoming to women to be pleasant, and then we have been told that we have been altogether too pleasant to enter into political relations. It is a bar to our enfranchisement. We have tried to be sweet and womanly, and then we have been told that we are so sweet and womanly that it would never do to injure the sweetness and womanliness of our nature by bringing us in contact with coarser things. After having tried to be what we were told we ought to be, we have discovered that we have only been placing barriers to our further advancement.

But the mourning women have dried their tears; the pretty women have gone to looking after something else; the sweet women have taken another course, and so are come here as neither sweet, pretty, nor weeping. We come here with strong convictions. We come with the purpose of coming just as often as we are permitted to come until we obtain our request, like the woman in the Word who appeared before the unjust judge. It would hardly become us to put you on a level with the unjust judge, but we come before you gentlemen who are our judges, and we will plead again and again until our petition shall be heard. We will be here regularly and systematically, Providence permitting, until the angel Gabriel blows the last trump, unless something is done. [Laughter and applause.] There is only one way to get rid of us, and that is by granting our request. Then we will stay at home. There is nothing we so much desire as to remain at home.

Of women who have never had the experience of married life, like Miss Anthony and myself, who are of the superfluous class of women, my State has 70,000. I want to know how we are represented in the Government and by whom. Nobody has offered himself to represent me out of Government, and I doubt if anybody is representing me in Government. The question is, shall I be unrepresented while so many women are represented in so many different ways under different conditions? I need the ballot for my protection. In my city of Boston there are some 22,000 women who are obliged to earn their own liveli-

hood. It has been declared that the ballot is worth 50 cents a day to the laboring man of this country. If it is true that the ballot is worth 50 cents a day to the laboring man it is also true that it will be worth 50 cents a day to the laboring woman, and there is not a laboring woman of us who would not be glad for an extra 50 cents a day. If the ballot will bring us this in response to our service rendered in the different lines of work in which we are engaged we want it.

But you may say that the ballot has nothing to do with pay; that wages are not regulated by the ballot. We know that is true directly, we know that indirectly legislation and public sentiment regulate demand and supply, and that regulates wages. Just as long as legislation debars women from a certain position, just as long as social custom, which rest upon legislation, debars women from certain lines of employment, then women will be more or less crowded into few employments and there will be a greater supply of laborers than of labor, and the result will be that the wages of the laborer will be reduced. So we find women in the city of New York sewing, making shirts for 4 cents a piece, making coarse overalls for 3 cents a pair, and then we wonder that there are immoral women all over our country! The simple fact is the wages that are paid the laboring women of this country are so meager that it is strange to me that the cry during the last campaign was not "Look at the working women of New York, look at the working women of Chicago and of Boston," instead of "Look at the working women of London and of the other cities of England." We have them where they can barely sustain themselves by the hard labor which they render seventeen hours a day. I consider that the greatest class of laborers we have in this nation are the working women, who are trying to sustain life on the meager pittance which they receive for their labor. The ballot means better pay for women as well as it means better pay for men. We have these women not only in a few cities, but generally all over the country women are required to labor by the absolute necessity of earning a livelihood, and they desire to earn it in better ways. I am the national superintendent of the franchise department of the Womans' Christian Temperance Union. There are more than 200,000 of us, and wherever we have gone in the different lines of our work we have been brought at last to a great barrier, and we can go no farther unless we have the ballot to open up the way. In our protective agency in Chicago we find that while it is quite possible to secure a favorable result in a civil suit, it is rarely possible to secure a favorable result in a criminal suit, and in our work in the northern woods of Michigan and Wisconsin, where terrible conditions of impurity prevail, we find ourselves blocked at every step simply because we are politically powerless. Wherever we go, and under all conditions, we feel that we need the ballot to help us, in order that the results we desire for moral conditions may be advanced.

One great fear of us women is that we will all vote the prohibition ticket. A gentleman told me his only objection to the enfranchisement of women was that the women might all vote the prohibition ticket, and yet this same gentleman was very angry with a certain district of our country because there were persons deprived of the right of suffrage there on the very ground that they did not vote the ticket that somebody else wanted them to vote. The simple fact is women no more agree among themselves upon a ticket than do men. There would be as great diversity of opinion among us as there is among the men of the country as to the ticket we would vote. We would probably vote our

own convictions in whichever direction that might lie, and we are not asking for the ballot that we may vote one way or another, but that we may protect ourselves under the conditions in which we are placed in whatever way we need, and because we find that wherever we undertake any legislative work the ballot is necessary.

Take, for instance, the case of petitioning a legislature. Every gentleman here knows the value of a petition upon which the names of prominent and influential political men are found, and the utter want of value of a petition that is signed by a large number of women. If I were to go before any legislative body in this country with a petition I would rather have the names of one hundred influential men than the names of one hundred thousand women; the petition would be of more influence. I well remember when I was about to sign a petition on a certain subject in Massachusetts, the lady who gave me the petition snatched both petition and pencil out of my hand and ran to a man, and when she came back apologized, on the ground that the name of one man was worth the names of forty women. Why is it? Is it because the legislators feel more kindly towards men than towards women and do more justly to men than to women? Not at all. It is merely because men, having political power, are their constituents, and they conserve the interests of their constituents, while they can not conserve the interests of a disfranchised class.

We are at a disadvantage, not because we are women—nobody believes that—but because in a republic a disfranchised class is always at a disadvantage, and because we are called the weaker sex. Are we to be deprived of every right because we are weak, and then told to go alone, when men can not get along, with their superior strength, without the help of government? We ask that we may have the ballot for own protection; for the protection of the home; that we aid good men to give us the best forms of government. As one of your Senators has said, the nature of the sexes is widely different. We believe on that very ground that we should be enfranchised, in order that the diverse nature of our race, the masculine and the feminine, may affect legislation as long as legislation affects us. Everybody knows that the opinion of a wise man and a wise woman upon any subject is infinitely better than the opinion of two men or of two women on the same subject. What I want is the outcome of both for the interests of all, and this can only be done when in counting the opinion of the people of our country we count the opinion of both men and women. You will find in the end that women are as capable and willing to give a wise opinion as men.

Hence, for the general good of our nation, we beseech you that there shall be something done that shall give to us a sixteenth amendment, that there may no longer be any disfranchisement in this country either because of race, color, previous condition of servitude, or sex. [Applause.]

REMARKS BY MISS SUSAN B. ANTHONY.

Miss ANTHONY. Gentlemen of the committee, the fact that we bring before you this morning only seven speakers is not because we have not a score more here from almost as many different States whom I should be glad to have address you, but because of the shortness of your time.

Allow me simply to mention the States which are represented here before you dismiss us. Minnesota is represented by Ella M. S. Marble,

president of her State woman suffrage society; Kentucky, by Mary B. Clay, the daughter of Cassius M. Clay; New York, by Lillie Devereux Blake, Mary Seymour Howell, Sarah Anthony Burtis, who was secretary of the first woman's rights convention in 1848, and Charlotte Daley; Pennsylvania, by Matilda Hindman, Dr. Caroline Dodson, and Rachel Foster-Avery; Ohio, by Sarah M. Perkins and Sara Winthrop Smith, who rolled up 13,000 names of men and women at the Cincinnati and Columbus Centennial Expositions who desired the enfranchisement of women; Indiana, by Ida W. Harper and May Wright Sewall; Nebraska, by Clara B. Colby, the editor of the Woman's Tribune, that comes weekly to each of you and all the members of Congress; Maryland, by Mrs. Caroline Hallowell and Mrs. Sarah T. Miller; Massachusetts, by Lavina A. Hatch and Harriet R. Shattuck, the president of the national branch of our association; and here is Utah, the Territory in which Congress took from all the women their vested right of suffrage, represented by Margaret Caine and Emily S. Richards.

But I do not propose, gentlemen, to ask you to listen to all of these women, though each one could make a most excellent argument. I know the majority of this committee is in favor of woman's enfranchisement and will do all in its power to secure the legislation that we seek; still I must repeat that this is the twelfth Congress to which the women of this nation have appealed for the protection of their "citizen's right to vote."

As has been stated by one of the speakers, we have not only been coming here for the last score and more of years, but we shall be coming every winter for the next twenty and more years, unless Congress shall pass the resolution for a sixteenth amendment, or, better still, a declaratory act, which Congress has ample power to do, proclaiming that women already possess the right to vote under the original Constitution, with its fourteenth and fifteenth amendments.

This committee has reported favorably from Congress to Congress ever since its first appointment, and I hope you will not fail to bring in a report, late as it is in this last session of the Fiftieth Congress, and also take the steps to secure both a discussion and a vote upon the floor of the Senate before the 4th of March arrives.

REMARKS BY MRS. HARRIETTE R. SHATTUCK.

Mrs. SHATTUCK. I wish to make a request of the committee before it adjourns. The speakers so far have represented the petitions for an amendment to the National Constitution. I could well have been included, although it was not necessary, because I sent personally a petition here representing our Massachusetts National Branch, which is before your committee. It was sent early in the session.

I should like also to speak of another petition which has been referred to you lately—that of Mrs. Harriet H. Robinson, of Massachusetts, asking for the removal of her political disabilities. That petition was sent to Senator Dawes, who presented it in the Senate and referred it to your committee, as, of course, you know. Mrs. Robinson, whose daughter I have the honor to be, has been in communication with the committee through its chairman, and will, at the proper time, present her argument on the invitation of the committee.

I am not here to present any argument, but simply to ask you to consider the petition and to consider seriously the argument when it

is made. Believing that a personal application is better sometimes than a written one, I thought I had better represent my mother in asking you, when the matter comes up (she has legal counsel engaged to present it in proper form), that you will consider it as it should be considered, and remember that when I was here as her daughter I asked you so to do.

Senator PALMER. Is there anything further that you wish to present, Miss Anthony?

Miss ANTHONY. I believe not.

The committee accordingly adjourned.